



# Straw shelves study on black criminality

THE Home Office has shelved a highly sensitive study showing that black people are far more likely than Asian or whites to become involved in crime.

The confidential study was carried out by a senior Home Office researcher for Jack Straw, the Home Secretary, and its circulation has been tightly restricted.

Senior police believe the study has been "put on the back-burner" because of the impending report into the racist murder of Stephen Lawrence, which is expected to criticise police racism. They are frustrated that Mr Straw is shying away from a public debate on the scale of black criminality and the reasons for it.

One police source said that the Home Office study was "a fairly sensitive piece of work. It is about where we are going, and there are some unhappy conclusions. It is substantial and quite revealing."

Although the study raises important questions on crimes by members of ethnic minorities, a Home Office source confirmed that no action has been planned as a result.

The author of the study was Dr Marion Fitzgerald, a senior criminologist and sociologist in the Home Office's research and development section, who has written other papers on race and crime statistics. The study analyses material published during the 1990s and questions why a higher proportion of the black popula-

## Conclusions of report on racial factors are being kept under lock and key, reports Stewart Tendler

don than the Asian population is linked to crime.

The study has drawn on Home Office statistics for 1997-98 on the relationship between ethnic communities and the criminal justice system. Those statistics show that 2 per cent of the population aged ten and above in England and Wales are black, 3 per cent Asian, and another 1 per cent linked to the Far East, Middle East or other parts of the world.

There were nearly two million arrests in 1997-98 of which 7 per cent or 138,000 were of black people, 4 per cent or 80,100 were Asian, and 18,000 or 1 per cent were other people of non-white origin.

Research in ten forces that cover two thirds of the population from ethnic minority backgrounds in England and Wales, showed that in Leicestershire there were 232 arrests for every 1,000 black people aged ten and over, 43 per 1,000 Asians and 34 per 1,000 whites. The highest figure for Asians was in Thames Valley

at 108 per thousand and the highest for whites was in Lancashire with 53 per 1,000.

Dr Fitzgerald's report examines the situation in London, analysing the possible influence of the high rates of family break-up in the black community on criminal behaviour, as well as the economic and cultural cost of crime to the communities.

It could influence policy decisions on how to prevent youngsters from ethnic backgrounds becoming offenders.

Dr Fitzgerald is a former academic who joined the Home Office more than a decade ago. She prepared research on crime and race for the royal commission on the criminal justice system under Lord Runciman and has published papers on ethnic monitoring in police forces and victimisation and harassment of people from ethnic minority backgrounds.

Three years ago the sensitivity of the issue of race and crime was highlighted when Scotland Yard launched Operation Eagle Eye against street muggers. Sir Paul Condon, the Commissioner of the Metropolitan Police, was widely attacked for saying that young black people were suspected of committing the majority of street robberies.

A spokesman for the Home Office said that the study was an internal paper and there was no question of anything being suppressed or delayed because of the Stephen Lawrence inquiry.



Rupert and Sheila Sylvester, whose son died in hospital, walking either side of a priest at the head of the march yesterday

## Grieving parents demand explanation

BY DOMINIC KENNEDY

THE parents of a 30-year-old black man who died after being overpowered by eight policemen marched to a police station yesterday wearing shirts printed with the words "Who killed my son?"

Rupert and Sheila Sylvester, whose son Roger died last Tuesday after eight days in a coma, were joined by 600 marchers, including Neville Lawrence, father of Stephen, whose racist murder was unsolved because of apparent police blunders.

"It's another person who has been killed," said Mr Lawrence. "Even with the focus on the police, they still continue to do the same. It's business as usual as far as I am concerned."

The deeply religious family, originally from Granada, led a dignified march through the racially tense area

of Tottenham, north London, the parents holding the hands of their minister the Rev Gerald Bruce, singing "We shall overcome".

At the police station, candles were lit and left burning on the railings as an increasingly agitated crowd shouted: "Murderers" at the police.

Roger Sylvester's mysterious death has ignited the black community in a district which was inflamed by the 1993 death of Joy Gardner, who died after her head was covered in sticky tape while she was being deported.

Police and black community leaders have been struggling to build trust since the 1985 Broadwater Farm riot, when PC Keith Blacklock was murdered.

According to the police, Mr Sylvester was restrained after being found na-

ked, banging on a door in his own street in Tottenham two weeks ago. He was handcuffed and taken to St. An's Hospital to be sectioned under the Mental Health Act but suffered a respiratory arrest while being assessed by medical staff.

He was taken to North Middlesex Hospital and finally Whittington Hospital where he died in the intensive care unit.

The family, who have been trying to stop the campaign being hijacked by Trotskists and black-power militants, gathered outside his home in Summerhill Road yesterday afternoon.

Mr Bruce from the Finsbury Park Methodist Church said: "We pray that Roger's death will be a means whereby we can change our society in a peaceful, powerful way."



Roger Sylvester: family led march

## Staff get a right to unpaid leave

BY JILL SHERMAN, CHIEF POLITICAL CORRESPONDENT

COMPANIES will be forced to allow their staff to take unpaid "emergency" days off under an ambitious package of measures to help families, to be unveiled by the Government this week.

The Fairness at Work Bill will outline a series of proposals to extend maternity leave, introduce statutory parental leave and allow staff an unlimited number of days off. These would have to be for urgent reasons such as sickness in the family, bereavement, trouble at school, help for elderly parents, accidents or domestic crises.

Ministers will be consulting on the best way to stop abuse of the new regulations, although the days off will be unpaid.

Stephen Byers, the Trade and Industry Secretary, will also announce that the Government is cutting from two years to one the amount of time that staff need to be employed before they are entitled to unpaid maternity leave.

At the moment pregnant women are entitled to 18 weeks statutory maternity pay from the day they join a company.

They are also entitled to 14 weeks statutory maternity leave from day one and up to 40 weeks unpaid leave if they have been in the company for two years.

But under regulations following the Fairness at Work Bill, all new mothers will qualify for 18 weeks statutory leave from day one, and up to 40 weeks unpaid after one year instead of two.

The Bill will also allow three months unpaid parental leave to be taken by either or both parents in addition to maternity leave. Although details have yet to be finalised, this could be taken until the child is 11 or even up to 16. It could be taken in one chunk or spread over six months as part of jobshare.

Parents who adopt children will be also entitled to take three months leave to allow them to bond with their child.

The main focus of the Bill will be on statutory recognitions for unions. Mr Byers has decided to keep all the changes on the issue that were announced by Peter Mandelson in December shortly before he was forced to resign over the home-loan affair.

## Irvine heads off clash with judges over powers

BY FRANCES GIBB, LEGAL CORRESPONDENT

THE Lord Chancellor has defused a potential clash with senior judges over the powers he proposes for himself over the justice system and legal profession.

Lord Irvine of Lairg has told peers that he will accept amendments aimed at curbing the powers set out in his Access to Justice Bill. Both the Lord Chief Justice, Lord Bingham of Cornhill, and the Master of the Rolls, Lord Woolf, are backing the restrictions suggested last week at the Committee stage.

An amendment tabled by Lord Lloyd of Berwick, a retired law lord, and backed by several peers as well as the Bar, sets out principles that would govern the exercise of powers by the Lord Chancellor. These include: that people should not be denied access to justice or the machinery of justice on account of their means; that legal services ensure that disputes are settled expeditiously; and that a strong, independent and self-regulating legal profession be preserved.

Two weeks ago, Lord Irvine's proposals came under attack from a select committee

under Lord Alexander of Weordon which said the powers proposed for the Lord Chancellor were "almost untrammelled" and of "considerable concern".

Under the Bill, the Lord Chancellor will direct the Legal Services Commission which replaces the Legal Aid Board. The commission will run the proposed Community Legal Service and Criminal Defence Service in the allocation of £1.6 billion of public funds spent on legal services.

The Bill also enables the

Lord Chancellor to take increased powers over the rules of the legal profession, including the determination of rights of audience.

But in concessions made during debate last week on the Bill, Lord Irvine has accepted that there should be a statutory statement of purpose governing the Bill. He also accepted that provisions on how the money will be allocated should be laid before Parliament in draft and subject to affirmative procedure. On the issue of the independence of the legal profession — on which Lord Irvine was facing widespread opposition, he said: "I believe profoundly that a strong, independent and self-regulating legal profession should be preserved."

He said he would look at how he can strengthen the wording of the Bill to enshrine the importance of advocates being independent; and, in response to concerns expressed by Lord Ackner, a retired law lord, at how to ensure that only advocates with specific skills and knowledge, and subject to a code of discipline, are allowed to take cases in courts.



Irvine will accept peers' amendments to Bill

## MP agrees age of consent deal

BY PHILIP WEBSTER, POLITICAL EDITOR

THE Labour MP who led opposition last year to reducing the age of consent for homosexuals to 16 yesterday called on Labour MPs to back the new Bill making the change.

Joe Ashton, MP for Bassetlaw, said he would support the second reading today of the Sexual Offences (Amendment) Bill after the Government's decision to bring in safeguards to protect vulnerable teenagers from being exploited by people such as teachers and careworkers in positions of trust.

He said last night: "The position taken by me and other Labour MPs was never anti-gay. It was the fear that lowering the age of consent to 16 would mean that more young people would fall prey to people who abuse their positions of trust. Now I am happy to ask all Labour MPs to vote for the Bill and I hope that the Lords will back it as well."

The safeguards had been sought by Mr Ashton and other Labour MPs when the attempt to bring in a lower age of consent fell at the last hurdle after defeat in the Lords of an amendment to the Crime and Disorder Bill. Mr. Ash-

ton's stand in the Commons — he secured the backing of about 30 Labour MPs — was seen by peers as justification for opposing the will of the Commons.

Fears of losing the whole Bill persuaded Jack Straw, the Home Secretary, not to press the issue. Instead, he promised to bring back a government measure in this parliamentary session after a study of the concerns raised by Mr Ashton.

The Bill introduces a new offence of abuse of trust that will apply equally to young men and women. It would protect 16 and 17 year olds from sexual pressures from those in positions of authority and trust by making such advances a criminal offence. It would apply to adults such as teachers, carers, prison staff and hospital workers.

The offence will criminalise only the older partner but it effectively outlaws teacher-pupil love affairs. Gay rights groups such as Stonewall have been mollified by the Government's agreement that the anti-abuse law should apply equally to both sexes.

## Man, 45, faces ten charges over two girls

BY A CORRESPONDENT

A MAN aged 45 will appear in court today facing ten charges over the disappearance of two girls. Alan Edward Hopkinson is accused of kidnapping, abduction, false imprisonment and other alleged offences relating to serious assaults.

Mr Hopkinson, from Langney, Eastbourne, East Sussex, has been in custody at Hastings police station since his arrest on Friday and is due to appear at the town's magistrates' court this morning.

The court is expected to be packed with reporters and police said yesterday that they were preparing for the possibility that a large crowd could gather outside the courthouse. Mr Hopkinson will be taken from the police station to the courthouse via an underground passage connecting the buildings.

He was charged on Saturday night after a huge police operation to find the girls, both aged 10, who went missing while on their way to school last Tuesday morning. They were reunited with their families on Friday evening after being found safe.

Earlier today churchgoers in East Sussex said prayers of thanks for the safe return of the girls. The congregation at one church prayed that the youngsters and their families would recover from the ordeal, which shocked the local community.

The church minister said everyone was delighted that the girls had been reunited with their families. "Our prayers have been answered the whole congregation has been so very worried all week and today we thank God for their safe return. Our thoughts are with the girls and their families at this time."

## Teachers' pay rise threatens class size pledge

Employers fear a budget-busting 4 per cent award, reports John O'Leary

THE pledge by Tony Blair to cut class sizes would be derailed by an above inflation pay deal for teachers next week, local authority leaders have warned the Government.

Ministers are believed to have been considering a 4 per cent pay award for teachers in England. Although he has refused to give any guarantee, David Blunkett, the Education and Employment Secretary, is anxious to pay the award in full rather than in stages, as the past three have been.

But Graham Lane, the education chairman of the Local Government Association, said schools could only afford a three per cent increase from this year's budget. A bigger

rise would mean larger classes unless the Government funded the award.

Mr Lane said: "Every one per cent increase costs £120 million and we simply have not got the money to pay it. No one wants to deny teachers a decent rise, but it has to be one we can afford."

Although the Government's spending assessment for education was 5.5 per cent up on the previous year, many authorities were already spending above the recommended level. With other services' funding being squeezed, schools'

budgets are unlikely to be topped up locally as they have been in recent years.

Mr Lane said councils had put more money aside for teachers' pay than Treasury guidance implied. Rather than allowing for a 2.5 per cent cost of living rise, they had budgeted for three per cent.

"With the school population rising again, we will have no choice but to increase class sizes and cut back other initiatives. If the pay award is too high. This is not some Mexican bargaining trick: I am trying to save the Government from

the same mistake the Tories made when they refused to fund teachers' pay."

The authorities' stance presents ministers with a dilemma when they finalise public sector awards this week. Low recruitment to the profession is causing serious concern and teachers' unions are determined to recoup ground lost over the past three years.

Although the recent Green Paper on the teaching profession holds out the promise of substantial increases for many members of the profession, the awards will not be

seen for at least another year. With Scottish teachers discussing a possible 18 per cent rise over three years, the English unions are reluctant to wait.

A spokeswoman for the National Union of Teachers said: "Unless the Government does something about salaries immediately, recruitment problems are going to get worse. Teachers are fed up with being treated as they have been over the last three years, with low increases and phasing."

"They have to treat teaching shortages as seriously as they do nurses."

The NUT is already concerned at the funding allocated for the Green Paper reforms. A union report to be published today will question whether the £1 billion committed for the pay initiative is sufficient to allow a majority of the profession to benefit, as Mr Blunkett has promised.

Nigel de Gruchy, general secretary of the National Association of Schoolmasters and Union of Women Teachers, said it was essential that teachers should not fall further behind other professions if the reforms were to succeed.

"If this year's settlement is too low, it will wreck the Green Paper exercise," he said.

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# McCartney swears by Linda's last song

SIR PAUL MCCARTNEY has launched a crusade against radio and television stations that have banned the final song by his late wife, Linda, because it contains a "swear" word. The single, *The Light Comes From Within*, is taken from his wife's posthumous solo album, *Wide Prairie*.

Sir Paul has taken out an advertisement on page 17 of *The Times* today complaining about the censorship and asking the nation's parents to decide whether their children will be "morally corrupted" by the lyric.

"You say I'm simple, you say I'm a fuck."

"You're f---ing no-one, you stupid dick."

Sir Paul said last night that the swear word was used frequently on television and radio and that it was misguided to try to shield children from its use. "Is this the 90s or the 20s?"

The record mocks Lady McCartney's critics, who ridiculed her during her lifetime for her vegetarianism and animal rights campaigns. Her husband feels strongly that, because it is her final musical testament, it should not be sanitised. In the advertisement, Sir

Claudia Joseph and Adrian Lee on a spat with broadcasters over that word

Paul says: "Should you decide that your children must not hear this record, we would be grateful for your wisdom and good sense and will put our fingers in our ears whenever we hear it played."

"If, on the other hand, you feel that no harm will come to your children by being exposed to this song, give the guidance on solely needed and tell them it's OK to do so."

The song, which goes on sale today, is released by EMI with a parental guidance sticker warning of "explicit lyrics".

**PARENTS!**  
We need your guidance

Part of the advertisement taken out by Sir Paul today

Sir Paul claims it has been banned by BBC Radio, although the B-side, *Seaside Woman*, has been played by Radio 2. An animated video of the song, made by Oscar Grillo, also faces a black-out on *Top of the Pops* and *The Pepsi Music Show*, as well as *Live 8*.

Kicking *The Big Breakfast* and GMTV. Sir Paul, citing broadcasters such as Zoe Ball, who has sworn on her Radio One breakfast show, and Bob Geldof, who swore during his Live Aid appeal, told *The Times*: "I find it all very funny. I don't think

it's annoying. I think it's hilarious. After all, people do use the word on the telly and on the radio too. It does seem bizarre that TV's own people can swear on a show but you can't swear in a song. I don't understand the difference."

Sir Paul has been paid £1 million for the collection of songs written by Lady McCartney. He is expected to donate the money to animal rights charities.

A spokesman for the former Beatle said: "This apparently seditious little word has been

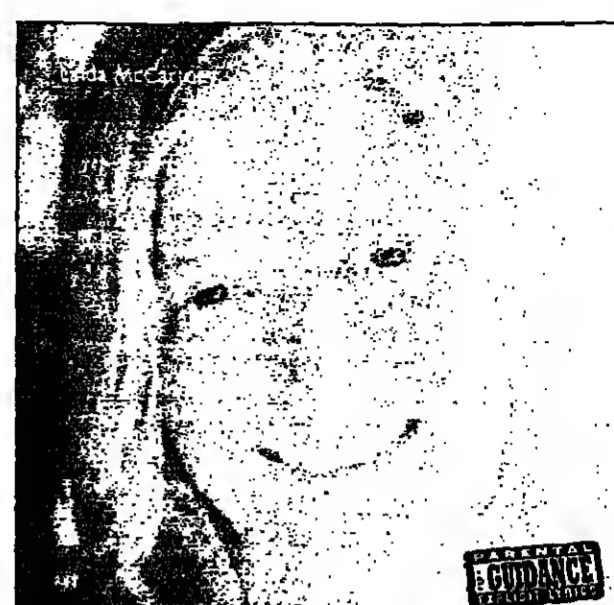
used in popular culture since the 16th century. Writers from James Joyce and D.H. Lawrence to Nick Hornby have employed it, and miraculously that has not resulted in Armageddon."

John Peel, the BBC presenter, said yesterday: "There is a tendency for people to claim their records have been banned when in fact they are not being played because they are crap."

"I have not heard this record yet but the lyrics do not sound terribly profound. Of course one feels tremendous sympathy for Sir Paul but he must have known that it was unlikely to get daytime play." Mr Peel said he was not aware of any memo being circulated at the BBC relating to the McCartney record.

Lady McCartney composed the album over three decades, recording the final tracks in the weeks before her death, and intended to release the album before Christmas. When she died, her husband took over the project.

On *The Light From Within*, Lady McCartney sings lead vocals and is backed by her husband on bass and her son, James, on lead guitar. A



The single's cover, with EMI's warning about the lyrics

spokeswoman for the BBC denied yesterday that there was a blanket ban on the song.

She said: "Bearing in mind audience sensitivity, we might edit as appropriate. If it gets in the Top 40, a radio edit will be played on the chart show." She said the spontaneous use of the swear word by presenters

was frowned upon and, afterwards, they were normally asked to apologise.

A spokesman for Capital Radio in London said the song was not on its playlist. It might be considered later but the swear word would create a problem. "Generally we try to avoid them."

## BBC plans £100m concert showcase to surpass Live Aid

THE BBC is organising a £100 million music extravaganza that will surpass Live Aid as the biggest concert event ever staged in Britain. It will be a showcase for British musical talent and will mark the end of the millennium.

Music Live 2000, which is being backed by the Government, will feature the cream of British talent in fields ranging from opera and jazz to pop in a five-day festival in May. Chart-topping pop artists including Oasis, Pulp, Massive Attack, George Michael, Elton John, Catatonia, the Manic Street Preachers, the Spice Girls and the Lightning Seeds are being approached to perform at dozens of venues across the country.

Mick Hucknall, the Simply Red singer who sits on the Government's music task force, has also been approached to be an adviser and a performer. The soprano Lesley Garrett, the Welsh bass-baritone Bryn Terfel and the violinist Nigel Kennedy are also expected to take part.

The BBC, which will announce the festival today, said that it wanted the event to produce the same pride and euphoria that Live Aid did in

**Five-day gig spectacular will be the biggest ever held in the UK, reports Carol Midgley**

1986. It is also in line with the Government's policy of making more of British music, which achieved domestic sales of £1.08 billion in 1997.

Bill Morris, the festival's director, said: "We want it to be the kind of event where everyone will look back and remember exactly where they were for it."

During the festival, the biggest outdoor event ever attempted by the BBC, the various concerts will be broadcast on BBC1, BBC2, the digital channel BBC Choice and by all the corporation's national radio stations.

The festival will culminate with a 24-hour "Perfect Day" which will be a continuous broadcast of live music at major venues as well as smaller

street festivals featuring lesser-known artists. One plan is to have the BBC Symphony Orchestra play at a stadium before an important football match. There will also be a concert celebrating country and western music.

The concert's promoter, Harvey Goldsmith, who helped with Live Aid, said: "Culturally and financially the UK's music scene is a world leader."

"We have so much to be proud of, so what better way to mark millennium year than with the world's greatest live music party?"

It is expected that cities including Glasgow, Belfast, Cardiff and Manchester will hold the biggest events, while smaller concerts will be staged in provincial towns and villages. However, Wembley Stadium and the Royal Opera House will be closed for renovations.

The events will be funded by the licence fee, but the BBC said that it would be seen as a huge investment in British music. Chris Smith, the Culture Secretary, said: "Music Live promises to be a real high point in the millennium year. The country has such a wealth of talent as performers and composers."



Ronan Keating, Irish lead singer with Boyzone, in his new, more statesmanlike guise. He may follow Dana's example

## Pop star wants to be President



Keating: teen heart-throb

RONAN KEATING, the lead singer of Boyzone, is considering pursuing a new career as President of Ireland (Andrey Mages writes). The teenage pop heart-throb said: "It would be incredible. For me, it would be a rags-to-riches story about a fellow who grew up in working-class Bayside, was terrible at school but ended up being President of Ireland. It would be the pinnacle of my career."

Keating has been inspired by the success of Dana, the Eurovision Contest winner who came third in the last presidential contest. The boy-band singer feels he could do better and win a seven-year term. He may run next time, in 2004, or wait until the following election. "I

think I would do well because I can relate to people. I can very happily sit in the pub having a pint with Paddy or go abroad for the country without making a show of myself."

Keating, now more likely to be seen in suit and tie than jeans and baseball cap, desperately wants to be taken seriously. Aged only 21, he is a millionaire, married, and his wife is expecting their first child.

He insists that he is a serious person with a good voice, business acumen and a deep concern for people. He was recently appointed by Dublin to the committee organising Ireland's millennium celebrations. Having tasted politics, is now keen to go further.

## Ernie Wise has heart surgery

By Alex O'Connell

ERNIE WISE was last night in a critical but stable condition after undergoing a triple heart bypass operation in a hospital in Fort Lauderdale, Florida.

He was semi-conscious and able to open his eyes and squeeze the hand of his wife, Doreen, as she waited by his bedside. Doctors at the Northridge Medical Centre, where he has been since early December, gave him a 50-50 chance of survival, Mrs Wise said.

The 73-year-old entertainer has been in hospital since he fell ill at his winter holiday home in Boca Raton, on Florida's east coast, only days after celebrating his birthday on November 27.

He suffered two heart attacks within a week and spent almost three weeks in intensive care. The couple celebrated their 46th wedding anniversary last Monday. Although he had been fed through tubes for two weeks, Wise ate a slice of cake and was thought to be recovering well.

His health has been a concern for some time, and he has suffered a series of strokes. Wise's 40-year partnership with Eric Morecambe ended with Morecambe's death from heart failure in 1984.

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# Cities will do anything for Olympic gold

BY JOHN GOODBODY, SPORTS NEWS CORRESPONDENT

THE first modern Olympic Games are always considered to have been held in Athens in 1896. In fact they were staged in Los Angeles in 1904.

After those Games, the first to make a profit, the wooing of members of the International Olympic Committee (IOC) escalated to unsavoury heights. Presents, lavish meals, first-class flights, luxury hotels, offers of prostitutes, and eventually bribes were used to secure their votes.

Staging the world's premier sports event has become the supreme prize for any city, worth billions of pounds.

The desire to stage the Games has not always been evenly intense. After Baron de Coubertin revived the Ancient Games in Athens in 1896, they almost died for lack of interest in Paris in 1900 and St Louis in 1904. There were few entries and little public attention.

However, by the 1924 Games, later celebrated in *Chariots of Fire*, the votes of IOC members were being actively sought. Monique Berlioux, the former executive director of the IOC, wrote in 1976 that even in the 1930s, members were being offered first-class travel for themselves and their wives.

Until the 1970s the process remained unsophisticated — the IOC had no money and

few staff, and its members had to pay their own fares and hotel bills. When Lord Killanin was asked to succeed Avery Brundage as IOC president after 1972, he replied that he could not afford it unless the rules were changed.

As payment of committee members was introduced, the Games began to generate ever-increasing amounts of money. The possibility of corruption had arrived.

Staging the Olympics had always been a matter of prestige and Major Jean Drapeau of Montreal, which staged the 1976 Summer Olympics, reputedly recorded the taste in wine and sexual proclivities of IOC members.

The Olympic movement was transformed in the 1980s by the interest of the American television networks, which began competing for the rights for both winter and summer Games. The rights for the 1980 winter Olympics in Lake Placid cost £10 million. For 2002 in Salt Lake City they will cost £300 million.

When Los Angeles made a profit of £140 million the floodgates opened. Only two cities vied for the 1984 summer Games. Two years later, 12 cities wanted to hold the 1992 winter Games. For the summer Games there was a shortlist of six, and Brisbane held a lunch

for IOC members that cost almost £1 million.

In 1986 the IOC limited gifts to members to a maximum of £100, so the lobbying had to be done in secret. It was complicated by the fact that the guidelines as to what and what was not permissible had never been clearly drawn up.

Members began to be offered donations to their favourite sporting charities or development projects in their countries. Some members have argued that these should be allowable.

For the 2000 Games, John Coates, who led the Sydney team, offered grants to the Kenyan and Ugandan committees because he feared the votes were "slipping away". Sydney beat Beijing by two votes.

The Princess Royal, Dame Mary Glen-Haig and Craig Reddie have scrupulously represented Britain over the last 15 years. The Princess is celebrated for returning gifts from bidding cities, without thanks.

Mr Reddie, chairman of the British Olympic Association, said yesterday that when he voted for the 2002 winter Games, won by Salt Lake City, and the 2004 summer Games, no one tried to secure his vote. He said: "In fact, I cannot even remember someone directly saying to me, 'We would like you to bid for us'."



Juan Antonio Samaranch, president of the International Olympic Committee, at Lausanne yesterday

## Salt Lake City fears funds will dry up

FROM GILES WHITTILL IN WASHINGTON

FUNDRAISING efforts for the next Winter Olympics were in turmoil yesterday after the games' chief salesman was forced to admit that major sponsors were losing confidence in the Olympic "brand" because of the Salt Lake City corruption scandal. Presentations to other potential sponsors across America have been postponed.

BMW, the German car maker, was said to be one of two "top-tier" sponsors withholding confirmation of deals until after a report due today from the International Olympic Committee's headquarters in Lausanne. "We will know on Monday how fast we can really begin the healing process," John Krinsky, Salt Lake City's chief fundraiser said at the weekend.

Salt Lake City's Olympic fundraising ground to a halt two months ago when it became known that nearly \$300,000 in bribes and inducements had been paid to IOC members for their votes in 1995. Claims have since emerged of additional cash payments of up to \$100,000 to some Third World members easily impressed by lavish hospitality.

The immediate result is a \$244 million shortfall in private sector funds that the city was counting on, not least to help to build an entire new ski resort in the northern Wasatch mountains for the downhill skiing events. The long-term implications are graver still, with fears mounting that the lavish corporate backing that saved the Olympic movement 15 years ago could dry up if the IOC fails to "clean house" convincingly over the next few days.

Up to a dozen key sponsors have chosen to bid their time before committing millions to an event whose image may not now be rescued before it takes place. The worst fear of both Utah and IOC officials yesterday was of a counter-attack by implicated IOC members. It was far from clear yesterday that all those asked to explain their conduct would go quietly.

Salt Lake City still hopes to raise \$1.45 billion in all for the 2002 games, and to earn back nearly double that. But in the world of Olympic sponsorship, hitherto one of the most lucrative corporate casinos, all bets are now off.

## Sydney organisers worry that sponsors may be put off

FROM DAVID WATTS IN ORISBANE

THE Olympic bribery scandal sent shivers through Sydney games organisers already worried about their financial viability. With sponsors worried about the tarnishing of the Olympics, there are serious concerns that the \$A230 million (about £90 million) in sponsorship that Sydney still needs to raise will not be forthcoming.

Among the sponsors whose support could melt away are such

firms as Coca-Cola, Eastman Kodak, Xerox, McDonald's and Visa. At the weekend, the Australian International Olympic Committee member, Kevin Gosper, gave warning that the controversial assistance offered to African delegates went "beyond goodwill" and could cost the city the 2000 games. However, last night he said that he had no reason to believe that the sweeteners offered to Uganda and Kenya constituted bribery.

The Australian Olympic Committee president, John Coates, had

started the flurry of concern over the Sydney games by revealing that the night before the vote to decide the venue for the 2000 games he had offered two African officials \$A50,000 each to develop sport in their countries if the Sydney bid was successful.

Sydney beat its chief rival, Beijing, in the vote by 45-43 to win the games. Mr Coates maintains that the offer was not a bribe but agrees that the inducement may well have been the turning-point. One of the men to whom he offered the mon-

ey, Charles Mukora, of Kenya, has already been identified as being sufficiently corrupt to warrant expulsion from the International Olympic Committee. The other man was Major-General Francis Nyangweso of Uganda.

Even before the present furore, there were concerns over the loss that Sydney might suffer from the games when the federal Government refused to grant tax exempt status to many of the developments relating to their staging.

The Australians' fears about the

future of the games have been heightened by calls from the rival city Manchester that they be re-sited. Graham Stringer, a former leader of Manchester City Council and now an MP for the city, said that the IOC should "take a very serious look at whether the games can be moved from Sydney".

Mr Coates said there was no chance of Sydney losing the games though the IOC could be asked to vote to re-affirm the winners of the Summer 2000 Games, the Salt Lake Winter 2002 Games and the

Athens Summer Games of 2004. He said he believed that Sydney could never have won the games without offering extras but he did not know whether his inducements to the two African delegates had swung it in Sydney's favour. "I'll die not knowing if those two voted for us, or if they tell me they voted for us, whether they are truthful or not — I won't know that," he said. It was not officially sanctioned bribery but assistance to athletes and coaches.

Provided the Sydney games do

not founder the British athletes are assured plenty of goodies when they stay on the Queensland Gold Coast in the lead-up to the Olympics. They are being offered free golf games, other tourist attractions, VIP transport and use of sporting facilities worth hundreds of thousands of dollars by the local authority. The Gold Coast mayor said the benefits to the area would far outweigh the costs. It was hoped that \$A5-10 million will be generated by the team's presence and through increased tourism.

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# Libel expert faces £45,000 bill for feud with partners

Carter-Ruck may seek arbitration to end seven-month dispute, reports Frances Gibb

THE libel lawyer whose name strikes fear into writ recipients is facing a bill of tens of thousands of pounds for legal fees after failing to resolve a dispute with his own partners.

Peter Carter-Ruck, who prides himself on his negotiating skills and a belief that one should "settle rather than sue", may be forced to go to arbitration.

The dispute, now seven months old, arose when the 54-year-old solicitor, a household name and the butt of innumerable Private Eye jokes, decided to end his 60-year legal career. Instead of champagne celebrations, he became embroiled in a complicated disagreement and found his name removed as senior partner from the head of the firm's list of partners.

The new letterhead relegated him to "founder and consultant" as if, he told friends at the time, he was some Victorian founder who no longer existed. Now, to further the ignominy, his name has been removed from the firm's website as being involved in the libel victory secured for the MPs Neil Hamilton and Gerald Howarth.



Carter-Ruck prefers his old letterhead, bottom, to the one describing him as a "consultant"

Far from retiring, the *eminence grise* of the libel world continues to go into his office, handle cases and send clients the original newspaper with his name on the top. But the dispute is taking its toll. He is believed to have run up fees of £45,000 with the country's biggest law firm, Clifford Chance. The firm has indicated that it will charge much less than that but Mr Carter-Ruck has still been forced to change to a smaller firm of solicitors, Sweepstone Walsh.



December was a partner with Peter Carter-Ruck and Partners, said that he might be forced, with reluctance, to go to arbitration.

"There are two sides to every story and I am good friends with the other partners. But everyone there owes their career to Peter, and I think a certain generosity would not come amiss," she said.

Andrew Stephenson, a partner with the firm, said that he could not comment but the partners are believed to hope that a settlement is close.

Mr Carter-Ruck had wanted to relinquish his 18 per cent stake in the firm and remain a consultant on a fixed salary of some £60,000 for three years. The deal was that the five partners in the firm would retain his name. In return, he wanted four other solicitors on the staff to be promoted to full partnership. But the existing partners disagreed.

That part of the dispute is believed now to have been settled. The only stumbling block is thought to be legal fees. It was "incredible," Ms Paget said, that that matter was still unresolved.

"This should have been a wonderful time for Peter, when he could take a slightly more back-seat role and enjoy the fruits of many years of toil," she said. After all, clients still want to speak to him and his name still draws them in.



When in Rome: an "empire dress" by Yumi Katsura, with blue pearls and shoulder straps like neo-classical capitals, is modelled at Rome's high-fashion show

## £2m art raiders also took £20 for petrol

By PAUL WILKINSON

ARMED robbers who stole art works valued at £2 million also took a £20 note from a gallery attendant to buy petrol for their getaway car.

The two masked men made off from York City Art Gallery with 20 works, including a Turner watercolour worth £500,000, after tying up staff and holding them at gunpoint.

The raiders cut canvases from frames and removed 14th century painted wall panels. When they came to make their escape they realised their vehicle was low on fuel. So the raiders, who called each other Bert and Tony, took the cash from the wallet of one of the attendants as he lay bound and gagged on the floor.

Detective Inspector Phil Metcalfe said yesterday: "It was unbelievable audacity and suggests these two were not just happy with their huge haul but callous as well." During the raid, just as the gallery was closing on Friday evening, the three loaded an automatic pistol in front of the three male attendants and a woman, gift-shop assistant. They warned them not to raise the alarm and, as one man stood over them with a sawn-off shotgun, the other two tried to help him up. The staff were not injured but had to be treated for shock and trauma.

Several works were damaged as they were crudely cut from their frames in an attempt to remove them. One Italian panel painting was split in two and abandoned on the gallery floor with other works damaged by the raiders.

Mr Metcalfe was convinced that the men were stealing to order. He said: "It seems these men knew what they were after. I would not be surprised if they had already left the country." Full descriptions of the stolen works are being compiled for the Met. Ports and airports are being alerted.

Among the stolen works are two 14th century gold panels of St Peter and St Paul by Martino Di Bartolomeo; two paintings by Walter Sickert; and a collection of very early Italian painted and gold panels.

Rickard Green, curator at the gallery, said: "This is the blackest day in our history." The loss of 39 oil paintings and panels and the Turner, an £820s watercolour of the ruin of Rievaulx Abbey, had left them "devastated". He said: "What has gone is irreplaceable and the robbers seem to have had some kind of plan. They went mainly for small paintings which could be easily moved. Many are by lesser-known artists with not the most glamorous names like Manet, but are interesting, and incredibly important to us."



The Turner watercolour, estimated to be worth £500,000, which was stolen from York City Art Gallery

## Much ado about loveless 'I do'

By ADRIAN LEE

A COUPLE who were matched by a radio station but have never met will marry today in defiance of the protests of church leaders.

Cara Germaine, 23, a model, and Greg Cordell, 28, a sales manager, won a competition called Two Strangers and a Wedding. They have spoken only once, by telephone, and will meet for the first time at the civil marriage ceremony in Birmingham.

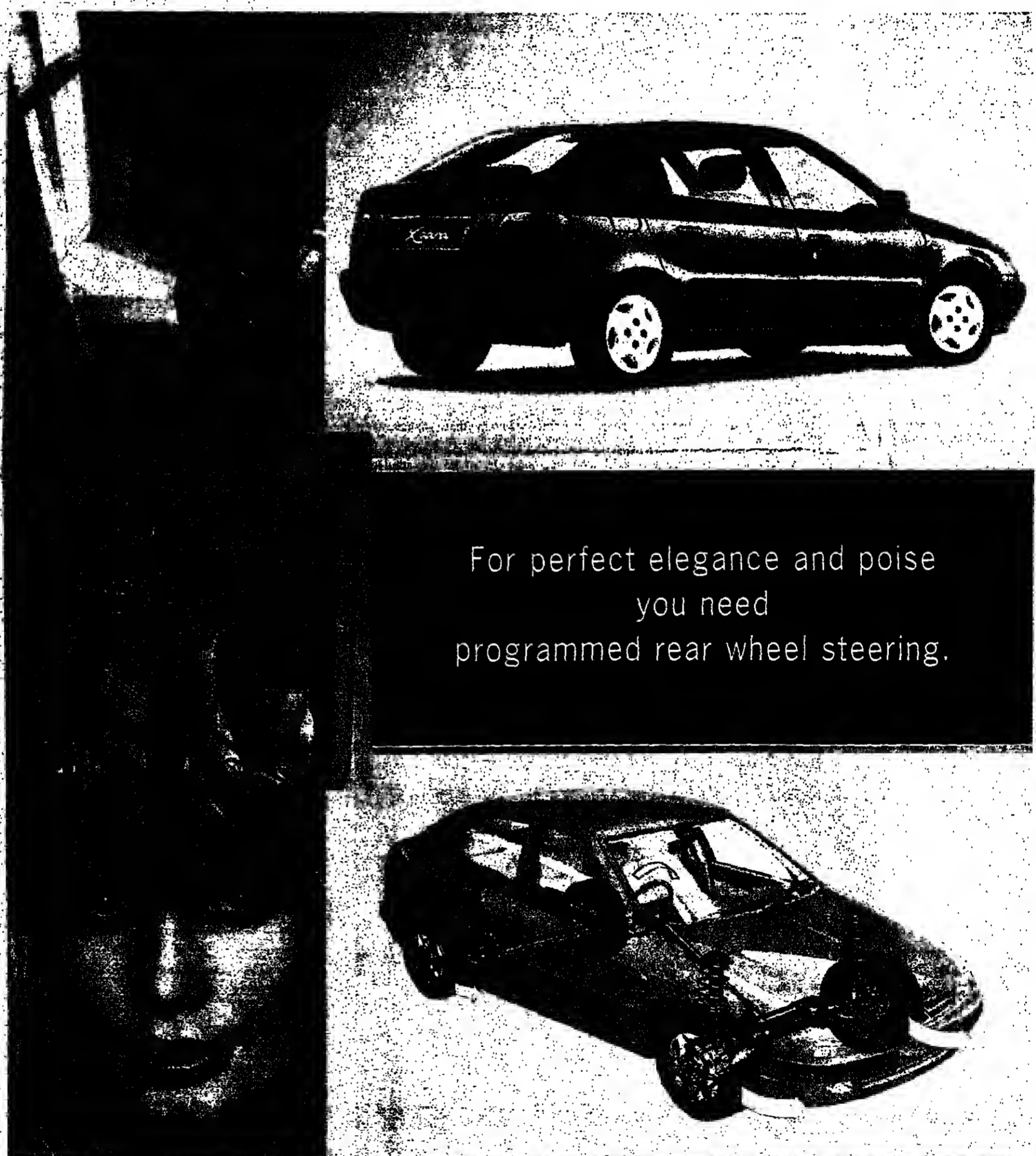
They were selected from 200 hopefuls and matched after a panel, including an astrologer and staff from the local radio station BRMB, analysed their personalities and interests. They will receive a Caribbean honeymoon and a car as a prize.

BRMB said that the competition was "an experiment based on the model of the arranged marriage traditional in Asian cultures. Christian

church leaders have urged BRMB to halt the wedding, saying that it will undermine the sanctity of marriage.

In a joint letter, the Right Rev Mark Santer, Anglican Bishop of Birmingham, the Most Rev Maurice Couve de Murville, the city's Roman Catholic archbishop, and the Rev Christina Le Moignan, from the Free Churches, told the radio station: "What you have arranged deliberately prevents the couple meeting and reduces a sacred and momentous decision to a media event. Both marriage and the human beings involved are too important to be manipulated in this way."

MPs and the marriage guidance group Relate have also criticised the wedding. Tim Rudman, a spokesman for BRMB, said that Mr Cordell and Miss Germaine were free to change their minds "right up until 'I do'".



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# Bloody reality of Ulster beatings

Martin Fletcher speaks to an ambulanceman who has treated many of the victims

AFTER 21 years as an ambulanceman in northwest Belfast, Laurence Robertson has probably attended more victims of "punishment beatings" and kneecappings than anyone else in Northern Ireland.

He has been called out hundreds of times from the Ardoyne ambulance station, which is between the loyalist Shankill and republican Ardoyne areas of the city, to treat those attacked on waste ground or in back alleys by paramilitary thugs who use naked terror to control their housing estates. "The stories you hear in the back of an ambulance are unbelievable," Mr Robertson told *The Times*.

He talked in chilling detail about a barbaric practice so common in Northern Ireland that most mutilation attacks warrant only a couple of paragraphs in the local press. "You never get used to it. You can't. Every single call is an individual human

being. It's not just another statistic," he said. "I've had my fill of them."

The paramilitaries often summon the ambulances and wait till they hear the sirens before kneecapping their victims. That way the victims do not die if the bullets hit an artery. On one occasion when Mr Robertson's ambulance was called to a shooting off the Antrim Road, "as we came into the street a man approached with a mask and his hand in his breast-pocket and said: 'Just drive around the block.' We heard the bang. When we came back there was this guy lying in the road."

On another occasion his ambulance was summoned to a punishment beating near the Ballymurphy estate. "We pulled into a dark street at about 4am. Three cars pulled up next to the ambulance. Some guys

jumped out with masks and burling sticks and went into the house. The hall light went on. We heard bangs and thumps and screams. The guys jumped in the cars and sped off. A girlfriend came out screaming and we went in."

The victims may be summoned to be kneecapped and duly present themselves because the alternative is exile — or worse. "They are told: 'We want you here 9.00 tomorrow night. We're only going to do one leg. If you don't show up we will get you tomorrow or next week but we will get you.' They go because they live in the community, have lived there all their lives and their families live there."

Some kneecappings lead to permanent disablement or death but most of the victims are shot through the

calf or thigh and suffer little long-term damage. Mr Robertson, 42, says: "If someone came with sticks or you can have five men with sticks or a gun I would say: shoot me. I would take my chance. Some of these beatings are absolutely horrific."

In "crudifications" the victim is tied to railings, upside down and spread-eagled, and beaten mercilessly. Mr Robertson has seen men with multiple fractures to their legs and arms requiring plates, pins and screws.

There have been thousands of mutilation attacks during the Troubles. The Belfast Human Rights Group Families Against Intimidation and Terror has recorded 1,076 by loyalist and republican paramilitaries since 1993. Many more go unreported.

Locals call the paramilitaries the "hairy men" or "the circuit judge",

as in "the circuit judge has been out again tonight", said Mr Robertson, and the attacks have been tolerated by the communities involved. They usually occur in areas where the police have lost control and the victims are generally reckoned to have been drug dealers, joyriders or petty thieves who deserved to be punished.

That may be starting to change, thanks to recent cases where the victims were patently innocent and they or their relatives dared to speak out. Increasingly the paramilitaries are seen not as a policing force but groups seeking power and money.

Last April an IRA gang looking for a child molester broke into the wrong flat and shot an elderly man through both knees and ankles. Three months later Andrew Kearney, 33, bled to death in a block of

flats after his kneecappers ripped out the telephone and jammed the lift doors. He had dared stand up to the IRA's North Belfast commander.

Last week *The Times* reported the case of Andrew Peden, a Belfast father who had both legs amputated after being kneecapped by the Ulster Volunteer Force for giving a lift to a friend from a rival loyalist group. "You never approved of these attacks but you felt the victims had done something," said his wife, who has now utterly changed her opinion. "They are judge, jury and executioner," Mr Peden said.

"Nobody deserves to be shot or beaten to a pulp by a mob of masked men," Mr Robertson said. "The law is there to deal with joyriders or breaking into old people's houses and taking £10. Some are picked out by word of mouth and totally innocent. Some are 16, 17 or 18-year-olds. Some are absolutely tragic."

## NEWS IN BRIEF

### Boy aged three saves brother

A three-year-old boy with suspected autism saved his brother's life. William and Edward Miles were playing in their garden when 20-month-old Edward fell into a 4ft-deep pond.

William, who has difficulty speaking, ran indoors to their mother, Kate. She thought that he wanted to play but by shouting and tugging her clothes he alerted her to Edward's plight. "He was lifeless and limp when I got him out but then he opened his mouth to breathe," said Mrs Miles, 30, of Ipswich. The boy was treated in hospital for a night.

### Wight tax plan

The Isle of Wight is to consider charging tourists a landing tax of 50p a vehicle to help to reduce the £2 million budget deficit that the council expects next year. More than one million people visit the island every year.

### Cocaine seizure

Customs officers seized 22kg of cocaine, believed to be worth up to £25 million, at Gatwick Airport. Charles McLeod, 31, and Denise Lambert, 30, are to appear before Crawley magistrates today charged with importing drugs.

### Whisky galore

A pub landlord on the island of Mull claims to have found the oldest bottle of malt whisky in existence. Robert MacLeod, 47, discovered the bottle of 1869 Old Tobermory at the back of his family run bar. He is not planning to sell.

### Hot headed

Firefighters called by a concerned resident to a fire on the flat roof of a house in Brighton, East Sussex, found that it was a fire-eater practising his act. A brigade spokesman said: "We've never come across anything quite like that."

### Buried ambition

Geoff Smith, 37, who set a record by living underground for 147 days, emerged from the garden of the Railway Inn in Mansfield, Nottinghamshire, and said: "I'll not be buried again until I'm carried away in my real coffin."

## Wedding joy for Omagh bomb victim

By Melissa Kite

A VICTIM of the Omagh bomb is to marry the English boyfriend that she had met only once before he rushed to her bedside as she lay badly injured.

Sandy Smith, 23, and Mark Blackwell had kept in touch by phone after meeting on holiday. After hearing she had been injured in the bombing on August 15 last year, Mr Blackwell, 31, from Lancaster, travelled to Ireland and kept a bedside vigil in the intensive care unit at the Erne Hospital in Co Tyrone.

It was there that he proposed on bended knee. They plan to marry on June 25, exactly a year after they met in Devon. "I'd never been to Northern Ireland but I just had to get to Sandy," Mr Blackwell said.

"I grabbed one change of clothes and my friends lent me the money. I only intended staying for two weeks. But I realised I loved Sandy so much that I couldn't leave her."

Miss Smith, who suffered severe shrapnel injuries and whose left leg is paralysed from the knee, said that she

hoped their story would give hope to other victims. "It shows that love can conquer evil and that, with the courage and the will to live, you can have a new future. Mark has been my strength, he has encouraged me throughout to be positive and count my blessings."

Miss Smith's best friend, Julia Hughes, 21, was one of the 29 people killed in the Real IRA bombing. They were standing just 10ft from where the bomb went off.

Counsellors are helping her come to terms with the mental trauma. "I am not the person I was before August last year," she said. "I can't be my old self. I am always depending on other people to do things for me that I should be able to do for myself."

"It's very hard to get used to. I used to love the gym, now I can barely walk. But you have to accept it has happened and life won't ever be the same again."

"I've cried bucketfuls every single day. I'm still grieving for Julie. But you have to accept it is not the end of everything." /PA



Sandy Smith and her fiancé, Mark Blackwell: the couple had met only once, on holiday, before Mr Blackwell rushed to her bedside after she was injured in the bombing

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# Chance find ends centuries of separation

THE two halves of an important 13th-century diptych have been reunited after centuries, thanks to a chance discovery. The owners of the separate pieces, which depict Christ and the Madonna, had no idea that they had come from a diptych. But the link was discovered when the owner of the left wing sent photographs to an art expert.

Joanna Cannon carried the photographs' around' in her bag for more than a month because they intrigued her. One day, while working on something else, she stumbled across a photograph of the right wing in a book.

"I realised this must be the other half. Then, because I had a photograph of the back of the panel and a description of the other back, I was able to

**A rare diptych is  
back in one piece  
after an expert  
finds the missing  
link, reports  
Dalya Alberge**

match them up. I could see three hinge marks that must match up. And I had the measurements. They fitted. I realised they went together." Dr Cannon, a lecturer in the history of art at the Courtauld Institute in London, said.

The link was confirmed by the tooled decoration, which is unusually dense. "Seeing the two together is incredibly exciting. They obviously belong, and look wonderful together."

ample of a key image in the history of Western art." The previously unknown left wing shows the Virgin and Child

The diptych, which goes on display today, is the work of an unknown master from Umbria and has been dated to about 1260. The Man of Sorrows half was in the Stoclet private collection in Brussels. The owner of the Virgin and Child half was simply curious when he wrote to the Courtauld, and had not considered selling it

"But both owners could see the appeal of it being linked up," said Dr Cannon, whose study of the painting will be published in next month's *Burlington Magazine*.

Dr Gordon added: "We have very few 13th-century paintings. The diptych offered a rare opportunity to acquire a painting of this date of high quality and in such good condition."



**Cannon:** carried photos  
in her bag for a month

# Air photos may save dream home

By: **Tim Jones**

**A COUPLE** are hoping that RAF aerial photographs can help them to fight a council order to demolish half of their £200,000 country cottage.

John and Julie Mitchell have been ordered to knock down an extension, which includes stables, a double garage and a games room, that was already built on to the home they bought from an estate agent last summer.

They have been told by East Hampshire District Council that it had been in dispute with the former owner of the property in Kingsley, near Bordon, Hampshire, over the extension.

Their lawyer says that he has now discovered that the cottage was built on land formerly belonging to the Minis-

try of Defence and aerial photographs showed the extension was put up before the four year cut-off point at which a council could serve an enforcement notice.

Peter Beggison, the council's district enforcement officer, said: "Although we sympathise with the Mitchells, they have inherited a house with an existing planning dispute and there is unfortunately nothing we can do."

To keep the extension the Mitchells will have to prove it was completed when they say

Mrs. Mitchell said: "The whole thing has been horrendous. All we want to do is keep the house as it is. We bought it because it had everything we wanted."

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A black and white photograph showing a large, dense crowd of people, likely participants in a protest or demonstration. The individuals are packed closely together, filling the frame. The image is somewhat grainy and has a high-contrast, almost stencil-like quality.

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*Journal of Management Studies*, 37(6), 809-826.



The similarities of the two panels were obvious from the front, and hinge marks on the back confirmed that they had once been joined.

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# We don't need Lib Dems, says Prescott

Remarks highlight existing tensions between Labour MPs, reports Jill Sherman

JOHN PRESCOTT dismissed the need for further links between Labour and the Liberal Democrats yesterday, saying that the party did not need help from anyone else to achieve its manifesto commitments.

His comments came as Paddy Ashdown, the outgoing Liberal Democrat leader, predicted that his party would have ministers in a Labour government after the next election and that his successor would maintain co-operation with the Labour Party.

A BBC poll of 196 Liberal Democrat chairmen appeared to endorse that view, with 50 per cent supporting the existing arrangements, 31 per cent wanting further ties and 14 per cent against links.

But Mr Prescott's remarks will fuel existing tensions among Labour MPs about whether the co-operation between the two parties should

be extended, and underlines his rift with the Prime Minister over the issue. At a meeting with Tony Blair last week several senior backbenchers expressed their concern about further collaboration with the Liberal Democrats and Mr Blair was said to have assured them that no new steps would be taken without consulting the party.

Downing Street has since denied that that was ever said and yesterday officials confirmed that Jack Cunningham, the Cabinet enforcer, and Alan Beith, the Liberal Democrat deputy leader, would be meeting this week to discuss areas of further co-operation. A Downing Street spokesman refused to be drawn on the detail but it has been suggested that welfare — particularly pensions

— could be one area of common ground. "There will be an extension of co-operation but we haven't said in what areas," the spokesman said.

Mr Prescott, the Deputy Prime Minister, yesterday made a number of disparaging remarks about the Liberal Democrats, claiming there was no need for "anybody else" to help Labour to create a better Britain. He said that Labour had a majority of 170 and could carry out its pledges on its own and that he had no interest in who succeeded Mr Ashdown.

Mr Prescott also dismissed hopes expressed by Lord Jenkins of Hillhead, a Liberal Democrat peer, that the two parties would unite to dominate the next century. "Roy Jenkins has gone through more political parties

than I've had dinners," he said jokingly. But Mr Ashdown used an interview with BBC's *Breakfast* with Frost to suggest much closer links between the two parties. "The Liberal Democrats, over the past year, have moved from a party of protest to a party of power," he said.

"The final threshold that takes the Liberal Democrat party into government I think we now leave to my successor. Probably after the next election the Liberal Democrats will move into government."

Mr Ashdown said that his party would, under its new leader, carry on working with Labour to introduce "those reforms and modernisations which our country can benefit from". He insisted that the links would continue because the Prime

Minister was determined to keep them and they were in the interests of both parties.

"We have been working on this, Mr Blair and I, for four or five years," Mr Ashdown said, likening the initial dialogue to a hesitant crossing across a rope bridge.

"That rope bridge has now been replaced by a multi-lane highway," he said, with several ministers taking part in cross-party talks with Liberal Democrats. He insisted that 80 per cent of party members supported the links with Labour.

Mr Ashdown also let slip that he was expecting his successor to be a Scot. Asked by Sir David Frost about who Rory Bremner would now have to impersonate, Mr Ashdown said they would have a

"Scotch" accent. The three potential candidates known to be considering standing who would fit that bill are Charles Kennedy, Menzies Campbell and Malcolm Bruce. Nick Harvey, the MP for North Devon, who is said by some quarters to be favoured by the leader, is not a Scot.

Mr Harvey, whose campaign is the most organised, suffered a setback when the BBC poll of chairmen put him in fourth position. Of the 57 who wished to comment, 36 favoured Charles Kennedy, 22 Menzies Campbell, 17 Simon Hughes and only four Mr Harvey. Mr Harvey's supporters said their man needed to develop his public profile and that as campaigns manager he would have a good chance to do so in the coming months.

Peter Riddell, page 20  
Leading article, page 21



Robinson: row ended career in government

## Robinson expected to quit at next election

By ROLAND WATSON  
POLITICAL CORRESPONDENT

FRIENDS of Geoffrey Robinson, the former Paymaster General, expect him to bow out of politics at the next election.

Mr Robinson, who endured a turbulent 20 months in government, is expected to deflect questions about whether he intends to stand for his Coventry North West seat again.

Local party members believe it is merely a matter of time before he announces he is standing down. Mr Robinson, 60, will have held the seat for 25 years by the time of the next election.

He came to political prominence only recently as patron and supporter of Gordon Brown, the Chancellor. His decision to quit the Treasury after enduring relentless scrutiny of his business past, and links to the late tycoon Robert Maxwell, has ensured an end to his career in government.

With more than two years to the likely date of the next election, local party chiefs do not expect such an early declaration of his intent. Support for Mr Robinson remains high within his constituency.

Bill Thomson, chairman of Labour's Coventry North West constituency party, said the £373,000 loan to Peter Mandelson was not an issue locally. He reflected, however, local uncertainty about Mr Robinson's future. He said: "As far as we are concerned he's still our MP. But people are entitled to change their mind."

## Disco-dance MP faces big contest with flare

By MARK INGLEFIELD, POLITICAL REPORTER

SIMON HUGHES will not say if he will run in the Liberal Democrat leadership contest, but this has not stopped the MP from considering two important points: will his passion for groovy nightclubs or his preferred mode of transport, a canary-yellow London taxi, wreck his chances?

"It may be that if I became party leader I would have to give up the taxi," he concedes. And the club? Mr Hughes, 47, is a devotee of Starsky and Hutch, a 1970s retro hangout in South London which encourages its clientele to don flared trousers. "A little innocent club music does nobody any harm," he says. "But it's probably regarded as more appropriate for the twenty- and thirtysomethings than the fortysomethings."

Mr Hughes, MP for Southwark and Bermondsey, made these observations in Paris at the weekend, where he addressed 3,000 sixth-formers on Britain's role in Europe. Al-

though he is keen to stick to the line agreed by all the would-be candidates — not to come out fighting until Mr Ashdown steps down in the summer — he is aware that a phoney war will ensue for the next six months.

"Everyone will be watching if we put in a good performance in the Commons or on television, and every time we do they'll say, 'We know why they're doing that.'"

At the moment, all is calm. The five hopefuls have met and agreed that the leadership contest should be a gentlemanly affair. "We can only try and I hope that it will be," Mr Hughes says. "The next step would be to reach an agreement that none of us would say anything negative about anybody else. That would be an extremely good breakthrough."

It looks set to be a tough battle. According to the poll of the party's local chairmen, Mr Hughes is in third place, be-



Simon Hughes with sixth-formers at the "Your Future in Europe" conference in Paris. He hopes that the leadership contest will be gentlemanly

hind Charles Kennedy and Menzies Campbell. The other contenders are Nick Harvey and Malcolm Bruce. The crucial issue will be whether Mr Ashdown's collaboration policy with Labour should be extended, or drawn back. Mr Hughes belongs to the draw-

back wing of the party. "Most of the collaboration so far has been to implement what we agreed before the last election," he says. "Like the others, I'm going to respect the line between what I may say in June or July if I was to stand, and the view I have

now about what we're doing." Mr Hughes entered Parliament in 1983, beating Labour's candidate, Peter Tatchell, the homosexual rights campaigner, in a by-election. He is currently the party spokesman on health and urban policy. Before becoming an MP he was an employment barrister, sometimes encountering another lawyer, Tony Blair. "We used to have the occasional drink, but we weren't great friends," he says.

He is a helpful person, an attribute he displayed as we travelled back to London on Eurostar. He promised a horde of rowdy photocopy salesmen from Kent (who were celebrating a good month) that he would look into how they could pitch for a contract at the House of Com-

mons. He also said that he would assist a waiter with a degree in journalism to get a job. "You can make connections for people if you're an MP," he said.

Mr Hughes commends Paddy Ashdown as a leader, but does not want his endorsement as a preferred candidate. "I can't imagine the party would take kindly to it and I can't imagine it would be very helpful to any person who featured in that."

One of the reasons why Mr Hughes is careful about discussing the leadership job is that he is the party's most likely candidate for the mayoralship of London. "In a way, nobody would be wise to make a decision about whether they want to be a candidate now because six months down the

track goodness knows what the political landscape will look like."

Of the five likely candidates, only one, Mr Campbell, is married. "Leaders over the years have been married and unmarried. I don't think it's a central issue," Mr Hughes says.

He does not mind that his life would be placed under scrutiny as leader, which he concedes can be a "nightmare" job. "You have to go to the party saying, 'Look, I don't think there are any skeletons in the cupboard that would be a problem for the party.'"

Could Starsky and Hutch prove an embarrassment? "All I can say is that there are people considerably older than me there. And I don't go on my own. That would be a very sad state of affairs."

## Hurd aide picked to advise Blair

A Tory right-hand man is moving to No 10, writes Valerie Elliott

A DIPLOMAT who was Douglas Hurd's closest confidant during his period as Foreign Secretary is to become Tony Blair's foreign affairs adviser.

John Sawers, 43, the political counsellor at the Washington Embassy, met Mr Blair briefly in November. He joins the Downing Street 15-hour-a-day treadmill next month when John Holmes, the official described as Mr Blair's "security blanket", becomes Ambassador to Lisbon.

Mr Sawers will be the FO's eyes and ears inside No 10. He has been closely involved in the Iraq conflict and while working for Douglas Hurd was in a group developing Northern Ireland policy for John Major. He will not, however, assume Mr Holmes's role as the Prime Minister's principal private secretary. That will be taken by Jeremy Heywood, who will also be "sherpa" for the Prime Minister at the G8 economic summit.

It is understood that Mr Blair chose Mr Sawers not just for his intellect and reputation for hard work but because he would fit in with the private office team, headed by Jonathan Powell. Mr Powell and Alastair Campbell, the Prime Minister's spokesman, both interviewed Mr Sawers.

Mr Sawers is probably one of the most "classless" of FO staff. One former colleague said: "When you meet him,

you would never think that he was from the Foreign Office. His rise is purely meritocratic and he has not relied on any old boy network." The son of a Rolls-Royce engineer, Mr Sawers went to grammar school in Bath and studied physics and philosophy at Nottingham University. He stayed on for a fourth year to be secretary of the student union but was not elected on a party political ticket.

According to another diplomat, Mr Sawers is unfappable but can also be "heretical" in his policy ideas — a feature particularly appreciated by Lord Hurd of Westwell. They got on so well that they used to go for early morning swims together when attending meetings abroad.

Mr Sawers was particularly involved in the intense negotiation of the Maastricht treaty and getting the Bill through Parliament. He also had a key role on policy in Bosnia, where the Government tried to achieve a balance between alleviating conflict and ensuring humanitarian relief.

Like Mr Blair, Mr Sawers is a strong family man. His wife, Shelley, is an actress-turned teacher, and they have two sons and a daughter, Oliver, 15, Sam, 13, and Corinne, 11.

He was a member of the Labour Party in the 1970s and was an early member of the SDP, but has not been involved in party politics since.

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# Le Pen fury as his party splits

FROM BEN MACINTYRE  
IN PARIS

THE French National Front ruptured yesterday into bitterly antagonistic halves, accompanied by a level of acrimony rare even for Europe's largest extreme right-wing party.

Bruno Mégret, the former deputy head of the party who is fighting to oust its veteran leader, Jean-Marie Le Pen, was elected president of the breakaway National Front-National Movement (Mouvement National) at an extraordinary congress in the southern far-right stronghold of Marignane, completing a breach open for six weeks and simmering for years.

About 17,000 of the party's 40,000 members signed petitions in favour of holding the congress, which was boycotted by M Le Pen and which he dismissed as an assembly of "Lilliputians", a reference to M Mégret's diminutive stature.

M Mégret's challenge to M Le Pen has left both sides straining their vocabularies in search of the most offensive



Mégret hails launch of his new far-right group

insults. The Mégretists condemned M Le Pen's backers as parasites and compared their 70-year-old chief to a cult leader drunk with power. To symbolise what they insist is M Le Pen's irrelevance, they appointed him to the mocking title of "honorary president" of the National Front-National Movement in recognition of his "historic" role.

M Le Pen, a dab hand at trading unpleasant remarks, came out marginally ahead in the vituperation stakes, describing M Mégret as a "psychopath", "paranoid" and "fraud", surrounded by "a tiny clan of conspirators".

"There is only one National Front," he thundered. "And that is the one I created nearly 30 years ago."

The first major test of the balance of power between the rival groups will come with the European elections in June, when the "Lepenist" and "Mégretist" parties will mount rival campaigns and slates of candidates. In the meantime, there is likely to be a vicious legal fight over the National Front's assets, including the party name, insignia, bank accounts and property.

The split within the xenophobic anti-immigrant party is over practical political strategy and personality differences rather than ideology. Where M Le Pen is determined to avoid diluting his extremism (and personal cachet) by alliances with more mainstream



A protester in Marignane mocks the far-right National Front for "losing its head"

right-wing groups, the younger man believes that the National Front's route to power is through strategic and pragmatic electoral deals.

M Mégret, 48, enjoys support among the younger and

richer members, and just under half the membership has given him its backing. But polls show that M Le Pen retains the loyalty of the majority of National Front voters.

The split has divided the party

at every level, including the domestic. M Le Pen's daughter, Marie-Caroline, has sided with the Mégretists along with her husband, taking up a leadership role in the party seeking to remove her father.

## A funeral in Berlin lays rogues to rest

INSIDE GERMANY



BY ROGER BOYES

Tommy Turnschuh, wearing his distinctive trainers below a natty charcoal suit, threw some banknotes on Franky's coffin and then the other mourners filed past the open grave tossing in roses, cuddly toys and even a packet of condoms.

Berlin's wide-boy milieu — boxers with canifflower ears, nightclub bosses, a racing driver, a champagne salesman, some expensively dressed policemen and many chemically blonde women young enough to have been Franky's mistresses — was saying farewell not only to a big, glossy, Runyonesque character but to its own precarious place in the city's social pecking order.

Franky, the Curry Wurst King, was 58 when he died. A cigarette ignited the large round bed in his Ku'damm flat, the flames spread to the curtains and left him no chance. We had met in the early 1980s while I was on a trip out of martial-law Poland to buy light bulbs and lavatory paper. Franky Lehmann had just sold seven sausage stands and knew more than most people about how Turkish fast-food kiosks and doner kebabs were displacing Wurst as the German national dish.

It seemed like a good story. He could not stand the idea of eating Wurst socially and he was not sure that he wanted to be seen in public with a journalist, and so we snacked on the top floor of the Harrods-like KadeWe department store, a sky-lit hell that plays piped birdsong and serves cold eggs.

Nothing of substance emerged. Franky was obviously disappointed that I was a man — he had some how got the impression that Roger was a woman's name — and, unless I too had grasped the wrong end of the stick, he appeared to be offering me money not to write this rather peripheral story.

Such occasions are rather rare in a foreign correspondent's career (even for those of us who have served in Rome and Moscow) and the moment slipped away. Words were written, copy was cut, life moved on.

For Franky, too. He had made the curry wurst — sausage sliced up and smothered with yellow sauce — socially attractive. At the far end of the Ku'damm, Franky's Curry Station dished the meat to Frank Sinatra, Telly Savalas and Brigitte Nielsen.

But Franky realised there was more to life than push-

ing pork and he bought into the slot-machine parlour business. This business placed him in tricky company. The big-time owner of various Hamburg brothels became a friend (his absence from the funeral last week was bitterly noted by Tommy Turnschuh), so did Rolf Eden, the closest West Berlin ever had to a playboy.

West Berliners used to like these rags to riches stories and the city adored lovable rogues (who were in truth merely bullies with style) and that may explain why over 500 turned up at the Heerstrasse cemetery. Although I'm no fan of funerals, I went too, squeezing past the Jaguars and Corvettes. Why was the funeral important? Because one of the defining elements of Berlin — its home-grown mobsters, fences and fixers — has given way to imported organised crime.

Russians are bringing huge sums into the city. Romanians and Bulgarians supply the brothels. Chechens, Kosovans and Kurds transfer fighting skills to drug turf wars. Some neighbourhoods are no-go areas for the police. A patrol was beaten up the other night for trying to stop a brawl in the Neukölln district. Fifty Turks set upon it shouting: "These are our streets."

This is not Franky's world, full of complex criminal protocol. His city has changed; it is less of a club. The police are not as bent as 20 years ago and are better educated, yet the crime rate is far, far worse.

The old back-scratching deals with Allied quarter-

masters are a thing of the past. A competitive city press keeps politicians on a short leash. The criminal heart of Berlin has shifted eastwards. Berliners still do not want to accept the metamorphosis of their city.

As usual, they prefer to cling on to a myth and treat Franky as the last, perhaps the very last, of the once-and-future capital's subterranean heroes.

## Bonn rejects waste compensation call

Bonn: Gerhard Schröder, the Chancellor, said yesterday that Germany would reject compensation demands from France or Britain over its decision to cancel nuclear waste treatment contracts worth billions of pounds.

Herr Schröder said in a television interview that Germany was making a sovereign decision to eliminate nuclear energy and that there was no legal foundation for demands from France and Britain over their loss of business processing German waste.

"Every government has that right," he added. "We want to get out of nuclear energy."

Bonn intends to close its 19 nuclear power plants and ban the export of nuclear waste for reprocessing. Germany has no waste-reprocessing centres.

The row has soured relations between Germany and its main European Union partners at a time when Bonn holds the EU presidency.

France and Britain have told Germany it would be breaking legal agreements if it tears up the contracts. The French company Cogéma stands to lose £3.2 billion and British Nuclear Fuels would lose £1.2 billion. (Reuters)

Leading article, page 21

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THE TIMES MONDAY JANUARY 25 1999

# Serbs release guerrillas in hostage swap

FROM TOM WALKER IN NEVOJANE

NINE ethnic Albanian separatists were freed by the Serbian authorities over the weekend in a hostage swap that is likely to encourage radicals in the Belgrade Government because it enhances the bargaining powers of the Kosovo Liberation Army.

William Walker, the senior international monitor in the province, while welcoming the releases as a confidence-building measure, issued a warning against a spate of tit-for-tat kidnappings. He said members of the Organisation for Security and Co-operation in Europe mission in Kosovo witnessed the releases.

The KLA freed five elderly Serbs it seized on Thursday almost simultaneously as the Albanians were set free on Saturday afternoon.

The release of the nine Albanians was conducted in secret with the Yugoslav Government denying any such deal. Aides of Mr Walker refused to be drawn on how separatist insurgents, who would normally face a 20-year jail term, are now at liberty. The OSCE downplayed any link between the events.



At least two of the released prisoners planned to return to the fighting as soon as possible. "This is not a crime, this is fighting for the freedom of our country," said Azem Suma, 26.

The nine, among whom was a 17-year-old girl, were part of a group of KLA guerrillas who attempted to cross the border from Albania near the British monitoring base of Prizren in December. They ran into a Yugoslav army ambush in which 36 of their colleagues were killed. The nine were imprisoned in Nis, central Serbia, and were denied access to the observers and international organisations.

The KLA had demanded their release in return for eight Yugoslav army conscripts it freed under intense OSCE pressure two weeks ago. But the furor over the Racak massacre and the subsequent threats of Nato airstrikes appeared to have scuppered all hopes of their freedom. The KLA raised the stakes last Thursday by kidnapping the five Serbs, all aged between 60 and 70, from Nevojane, a village near the northern Kosovo town of Mitrovica.

Yesterday the five said they had no clues as to where they were held captive, but added that they had been treated reasonably well. Earlier, Serb police backed by Yugoslav army units had moved into the Nevojane area, forcing many to take refuge in nearby towns. The OSCE was initially sceptical of the KLA's involvement in the kidnapping. But an elderly

lady in the village, Ljubinka Bigovic, who gave statements that smacked heavily of state propaganda, said: "They told us 'We are terrorists. We are the KLA'." She added: "They said this is not Yugoslavia but their land, Albania."

Mrs Bigovic said her husband, Miodrag, had been abducted at a nearby electricity distribution station where he worked and escorted to Nevojane. "There was a knock at the door, and Miodrag said he was back. It wasn't his normal time. It was 11 o'clock at night. I opened the door and saw him covered in blood. They had his hands tied behind his back and I was forced to go to the neighbours' houses and open their doors," she said. "How can we ever live here after this?" she asked.

Her son, Zoran, who was asleep at the time, escaped the



Kosovo Liberation Army fighters stand guard at the funeral of two comrades in north Kosovo. It was attended by 10,000 ethnic Albanians

ordeal because "they never came to my house", he said. He showed reporters a crumpled photograph of the Bigovics, taken during better times on a sunny day 20 years ago in Nevojane. "We never had

trouble in those days," he said in tears. Serbs from adjoining villages gathered around the foreign press corps to vent their frustration at the Western media. "You are all spies. We know

you are paid for what you write," said one youth. The OSCE said the Serbs were released from KLA headquarters in Likovac, while the Albanians were freed in the southwestern town of Suva

Reka. The organisation would not provide any other details. Washington: Madeleine Albright, the American Secretary of State, arrives in Moscow today for tough talks expected to focus on Kosovo and

Iraq, two flashpoints where Russia opposes US intervention. "The Russian influence on the Serbs is important," and Washington hopes it will use it fully, Ms Albright said recently. (AFP)



Walker: want an end to kidnappings

## Europe vetoes US ultimatum to Milosevic

BY MICHAEL EVANS, DEFENCE EDITOR

BRITAIN and other European members of Nato have vetoed an American proposal to issue President Milosevic with a 96-hour ultimatum this week, forcing him to comply with a long list of demands over Kosovo or face airstrikes.

Under pressure from the Europeans the US has agreed to give diplomatic efforts one more chance before considering an ultimatum. Washington has also been persuaded to reduce the "shopping list" of demands to just a few fundamental issues, such as the withdrawal of most of the Serb troops and police in Kosovo.

Nato diplomatic sources said that the Americans had included a whole range of demands in their draft ultimatum, including access for the international war crimes tribunal and the setting up a ra-

dio station for the Kosovo verification mission.

One source said: "That would mean that if Milosevic failed to comply with all the demands, Nato would be obliged to launch airstrikes, and I don't think anyone in the alliance would want to bomb if Milosevic refused to set up a radio station for the verification team."

The Americans have agreed that further thought should be given to the wording of the ultimatum and that it should be shelved until the six-nation Contact Group has exhausted all diplomatic efforts to resolve the crisis in Kosovo.

The Contact Group met in London on Friday and demanded an end to all offensive actions in Kosovo, the safe return home of displaced families from the Racak area - scene of the massacre of 45

ethnic Albanians - co-operation with the war crimes tribunal and early negotiations on a political settlement.

Another meeting of the Contact Group has been set for Friday, also to be held in London, to coincide with the arrival of Madeleine Albright, the US Secretary of State. She is spending this week talking with Russian officials about Kosovo and other matters.

The European members of Nato felt it would be inappropriate to issue Belgrade with an ultimatum this week while talks were under way with the Russians.

One Nato diplomatic source said: "Russia is against ultimatums and is opposed to airstrikes, and there is no point in deliberately antagonising Moscow while there is still a chance the Russians might play a part in persuading Milosevic to end the violence in Kosovo."

The source added: "If all diplomatic efforts fail, then it is possible that Moscow will not be so opposed to an ultimatum."

Today Nato's North Atlantic Council will meet in Brussels to review the latest efforts and to try to link up with the approach adopted by the Contact Group. European Union foreign ministers will also be meeting in Brussels today to discuss Kosovo.

One concern expressed by Nato diplomats over the weekend was that the alliance should not be seen to be biased against Mr Milosevic and in support of the Kosovo Liberation Army.

To that end, the North Atlantic Council is expected to call for urgent studies by the military planners into the possibility of sending ground troops to Albania to monitor arms smuggling into Kosovo. Although the idea of deploying Nato troops along the border between Albania and Kosovo is acknowledged to be impractical because of the nature of the terrain and the length of the frontier, there is now a new proposal for a force to be sent to Albanian ports and airports to check on suspected arms shipments.



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## Naked truth about grooming

AMID the frantic couture schedule (not the shows but the endless dinners and parties), Chanel hit on a truly inspired piece of corporate entertaining. Taking over the Turkish baths in a former Parisian mosque, they invited the international fashion press for an evening of body scrubs, steam baths, massage - and very little clothing.

Even though everyone pretended not to look, this was quite an eye-opener - as you might imagine - and yet another insight into national characteristics. The first to be scrubbed down, first to immerse themselves in the freezing plunge-pool were the Germans, then came the toned, glossy-haired Americans; the naturally dainty French; and

**FASHION DIARY**  
By Lisa Armstrong

the Brits, clinging on to their towelling robes for dear life because they hadn't made it to the waxers. One who had made it claimed that it was the first time her legs had ever been deforested. She fretted that her husband, who preferred her in her natural state, might divorce her, citing Chanel as co-respondent. It's hard to imagine an American having quite the same prob-

lems, which goes to show that while fashion has become international, when it comes to grooming, we are still the products of geography.

LONDON and New York aren't the only cities with boutiques that take the fashion-as-art concept seriously. Paris, though surprisingly slow to catch on to the idea given its intellectual leanings, opened Colette two years ago on the Faubourg Saint Honoré and, lo and behold, the handbag-on-a-plinth, desert-boots-in-a-glass-case style of shopping arrived with a vengeance. So much so that a few months ago Ramadan, Antoine and Artus, three cheeky, skateboarding twentysomethings, opened an antidote, L'Épicerie (The Grocery), at 30 Rue du Temple in the Marais, takes a deliberately irreverent, chaotic approach to retailing, although its merchandise is nothing if not upscale.

Marc Jacobs was so taken with the concept that he offered to design an accessory for the boutique and has invited the trio to stay at his New York apartment for the ready-to-wear collections next month.

L'Épicerie was such a success that it was forced to close

because it ran out of stock. The new merchandise will be in camouflage print, from L'Épicerie's own streetwear label to the limited-edition items made exclusively for the shop by names such as Jeremy Scott, Eric Halley and, of course, a clutch of Dutch designers. At this rate Marks & Spencer won't have to do a thing to the design of its stores: the fashion pendulum will decree that drab fittings and impenetrable layouts are the only word in retail chic.

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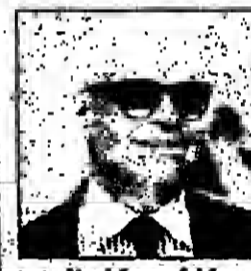
Donatella Versace



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Catherine Zeta Jones and Liv Ullmann seemed to be enjoying themselves at Versace, although it's not always easy to tell. Hollywood's female celebrities have such preternaturally bright smiles and such unnaturally perfect posture (the better to display those darling designer donations) that they often look as though their scalps are being permanently winched upwards by invisible pulleys.

The real couture customers do not get discounts and stay away from the catwalks



the scale, it's hard to imagine who goes to the more established couturiers for a £10,000 day suit. Chanel and Valentino did their best work for night (Chanel's matt sequined tops and chiffon columns were beautiful) and stumbled with awkward daytime. Chanel with lumpy harem trousers and Valentino with bantering, wide tops and oddly proportioned flared skirts.

But when the clothes are right, go they do, although this being a world of *trompe-l'oeil* and exquisite artifice, things are rarely as they seem. Prices, never openly discussed with

the press, fluctuate dramatically. If a client is young, pretty and famous — and can fit into the couture samples — she could snap up quite a bargain.

If she's the wife of a South American dictator, she might find French inflation running rampant and fabric running out. The women sitting in the front rows are frequently there just for the cameras. The real customers are often tucked up in Riyadh. They prefer to buy via video and do not get discounts. They don't even need to fly in for fittings. Many regulars have their measurements encrypted at their favourite houses in the form of a seamstress's mannequin.

To track down the lesser-spotted couture client (an endangered species if ever there was one), it is sometimes necessary to stray from the beaten track of the catwalk.

At a small, by these standards, private gathering in honour of Emanuel Ungaro last week, for instance, around 80 faithful couture customers were invited for supper — and a chance to show off their

Take out shares in huge ornate earrings right now

Cocoteau figures etched on them, but thematic clothes rarely work outside their context. The best pieces were the simplest: a black silk column suspended from a diamond choker, a Wallis Simpson calf-length silk skirt and silk shell top with a sash caught in a clasp that had been fashioned into a Dalí-esque eye.

If you are judging by virtuoso displays, Christian Lacroix produced the collection of last week: a ravishing display of silk and tulle that had been whipped into extraordinarily lovely, vaguely 18th-century evening wear that looked as fresh and carefree as a baby's smile.

Even the enormous violet silk ballgown, caught up in a side bow, with tiny buttons down the back and a corsage of 18th-century emerald flowers, looked light as a mist, and that's some kind of genius.

But even couture clients reject some outfits on the ground that there isn't a place, apart from a Michael Jackson video, where they would look appropriate. Josephus Thimister, a Dutch designer with the aura of a disapproving accountant, is offering an alternative vision. His architectural shapes in eaz-de-Nil python, parachute silk or rulle-enveloped canvas were starkly poetic and achieved the hitherto impossible: they made couture

look hip. Just as things were looking very good fashionwise for the Dutch, along came the Antwerp two, aka Viktor and Rolf, and their Concept. Last season's concept was post-atomic holocaust chic, which roughly translated into clothes that fused over enormous neck pillows and gave all the models hunches. I wasn't crazy about the effect, but they smiled sweetly when I interviewed them and said that

deformities were a speciality and Madonna liked them, so I didn't have the heart to argue. The concept this time was Showing Your Collection in the Dark. This is so silly that it needs no further comment, except to say that it was also boring once you got past the idea that everything was in black and white and the infrared lighting made the white bits jump out.

Viktor and Rolf's speciality

is tailoring — cue tuxedos with white skeleton bones picked out on them, Victorian coat dresses, and those clerical frock coats that seem to crop up in every costume drama ever made. Several thousand outfits later when you thought things couldn't get any worse, they did: the lights went on and they ran through the entire show again. Not surprisingly, Catherine and Liv didn't show up. But Viktor and Rolf do have customers galore, apparently. It is just that most of them happen to be museums.

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# Taking the taste for adventure to new heights



Role model: Richard Branson's Virgin Global Challenger

It is the time of year when brochures on my doormat tempt me to go ballooning in Cappadocia and friends announce that they're going glacier skiing. Nobody just lies on a beach any more. Smart hedonism means seeking out extreme experiences.

The smart hedonists have smart role models such as the balloonist Richard Branson and the polar explorer Rannulph Fiennes. These high-profile adventurers inspire increasing numbers of couch potatoes to set out in search of similar thrills.

For those with the temperament for it, taking risks is more than fun, sexy and exciting — it's essential. Some people don't really feel alive unless they get the chance to look death in the face. I'm not one of these. I asked a psychotherapist

The craze for experiencing extreme sporting thrills is a growing and worrying one, says Celia Brayfield

why and she said: "Because you have got a life," meaning creative fulfilment through family, art and career. The expanding population of under-40s without such satisfactions provides the market for the new extreme leisure industry.

This market could stand some education. In our controlled lives the most daring thing most of us do is hit the new euro key on the computer. We never meet nature on a daily basis. The Prince of Wales once called Rannulph Fiennes "mad but marvellous". I suspect that most people only heard the second adjective. Nor do the less privileged appreciate that

their role models take their risks with the benefit of the best training and back-up money can buy.

Sadly, recent weeks have brought tragic and abundant proof that ordinary people doing ordinary things no longer know Mother Nature well enough to give her the respect she deserves. Four climbers were killed by an avalanche near Ben Nevis and a boy of 11 died after trying out his new fishing rod on a trip in the Bristol Channel.

In both cases the warnings of weather forecasters were ignored. Recently, when gale-force winds were predicted, 70 amateur sailors

were rescued off the coast of Essex alone.

And some people never learn. Sarah Woodroffe, who fell 800 feet from a mountain in Glencoe and broke her neck, left hospital last week. She announced that she would be returning to mountaineering. "It was like being on a rollercoaster when you lose your stomach," she said of the fall.

I could cite many more tragedies, which suggest that people who choose extreme sports to spice up their lives are doing so without being able to calculate the risks. Within my own circle of friends, one paraglider to death

and another gave up the sport after hitting a thermal which nearly took him to the stratosphere.

In contrast to this tragic situation, I remember interviewing Lord Hunt, the leader of the Everest expedition. Instead of gung-ho I met a surprisingly quiet man. "Did you ever think of giving up?" I asked. "Every morning," he admitted, explaining that it was the duty of an expedition leader to calculate the risk of losing lives.

The only people concerned about our increasing appetite for risk are insurers, whose statistics show the associated death claims rising year-on-year at about 10 per cent. Maybe it's time the mad-but-marvellous squad used their influence to promote adventure education for people who share their courage but not their advantages.

## Why I stay with the man who beat me

Arabella Melville, an academic, claims she has stopped her partner being violent, says Penny Wark

The damage, says Arabella Melville, was "absolutely minimal". That is how she describes 15 years of abuse by Colin Johnson, the man she loves. She flexes her right hand.

"One slightly damaged finger joint," she says unwillingly. "That finger has straightened out and works normally. For me, minimal." For much of those 15 years she was so frightened of Johnson that she believed he could kill her, yet now, she seems to be excusing him. "It was never a continuous thing that lasted for a long time. It was lashing out. It wasn't considered."

Two things are remarkable about Melville's story. One is that 25 years after she met Johnson, she still adores him and they still live together; the other is that it is now five years since Johnson hit her. This is not because he sought change, but because Melville came to believe that she could alter his behaviour. By her own analysis, she has, and this is the subject of her new book, *Difficult Men: strategies for women who choose not to leave*.

Her theory is controversial, straddling both the central feminist mantra about taking power, and relying on the contradictory premise that women should take responsibility

for their partner's bad habits. Change, she maintains, is always possible. By refusing to tolerate Johnson's violent behaviour, and temporarily walking away when she sees it coming, she has taken control, she argues. One imagines this is not quite what the Home Office Minister Paul Boateng had in mind last week when, in response to a report that nearly one in 20 Britons had suffered domestic violence, he called for "a basic shift in attitude... towards the day when such conduct is universally recognised as reprehensible".

Melville, the product of a solid middle-class upbringing in Birmingham, is a gentle, friendly woman of 50. An academic based at York University, she writes guidance on career services for the NHS, but her private life is grounded in Porthmadog where she lives with Johnson, a diabetic who is becoming progressively ill. Her appearance is neat, though when we meet in London it rapidly becomes clear that her confidence is less easily controlled.

She was 26 when she met Johnson, and already rebelling against her background. Unhappy about the use of animals in her field of experimental psychology, she had given up academic life and become a nude model. Through this she

met Gerald Kingsland, the anti-hero of *Castaway* fame, and then his friend, Johnson. "Colin was wild and attractive, but most important was the intellectual philosophical thing: thinking things through and not stopping at some taboo. He has always been totally excessive," she says.

He is also nine years her senior and was then a confident businessman. The abuse started gradually, though she claims not to remember when he first hit her. "His ex-wife used to say, has he started hitting you yet? I recognised that Colin had reached violently but I didn't imagine I could be the victim of it."

"Things started going downhill when he went from rich to

penurious and lost confidence. The outbursts of anger and frustration became more frequent. It wasn't focused on me, I just happened to be there. I remember trying to crawl under the sofa to hide because I was so afraid. He didn't seem to see that."

"He was abusive verbally very frequently, daily, during the middle period of our relationship, after the first five years. If it's constant, it's undermining, but the actual physical violence was rare, once a year. There is also the smashing of things, the throwing of bottles against the wall. That is maybe not a danger to you but it reminds you, and it happened a lot. If things were going well, there would be a lot more mutual respect but if we had failed at setting up a project, he became very obnoxious."

"I think he didn't feel he was in control and all this time he's been trying to control me because he's afraid of the getting away. I always had the fear that if he wasn't in control he could do some really serious damage to me. I really believed he was capable of killing me but he wouldn't survive long after that because

there's no doubt that he loves me deeply." She is more graphic in a short section of her book: "He held me by the hair to make sure he had my full attention as he shouted. He didn't tell me it hurt. He didn't listen or didn't hear. I tried to pull his hands away. Falling, I thumped his hand with a torch I was holding. That was a bad mistake."

"He snatched the torch and started hitting me with it. I held up my hands to protect my face. Smash. My hand took the full force of the blows. The torch broke. I ran away, bruised and crying."

But she stayed. Why? Was she frightened of who else she might meet? She had a fear of being alone and was later dominated by the man she married, who eroded her confidence by criticising her.

"I wasn't frightened of being on my own. It was entirely emotional. Frequently I got to the point of being so wretched that I would think about gathering my things. Then Colin would turn and the person you love reappears and I would think, I love him, and I do, and I always have, but I love the in-

telligent person, the sexy person, the exuberant and outgoing and witty person. Nobody else has been able to make me laugh as consistently as he does. The things I love about Colin were always too strong for me to go." She shakes her head and laughs.

The turning point came during a course of counselling she had undertaken in the hope of changing her relationship with Johnson. When she finally acknowledged his violent outbursts, her counsellor encouraged her to see that Melville's own defensiveness — her inability to talk, hiding her face, crying — provoked Johnson into seeing her as the object of his frustration. The crucial point was that as her failure to stand up for herself made Johnson's violence more probable, it might be possible to reduce the probability of violence by behaving differently.

"It never happened after that," says Melville. "It was like the lights coming on. After that session I talked to Colin about the violence and the impact on me. I'd never before been able to explain clearly to him how destructive it was. As soon as he started to behave in a way I recognised as threatening or abusive, insulting me, I started saying, sorry, I'm not putting up with this. I would leave the room, go to my own room, leave the house if necessary. He would

try to stop me leaving but I would do that very early in the process, before he was really out of control. If you do that with total regularity that abusive behaviour starts to become less common."

"One of the terrible mistakes women make is to think that if they are better, more attractive, more exciting, maybe he would stop getting angry with them. They reward him for his behaviour and that is playing into his hands. My approach involves the woman enhancing her own power."

There are several difficulties with Melville's theory. One is that what works for someone who is middle class and articulate is not necessarily a good play for someone without her advantages. More profoundly, she seems to be encouraging women associated with difficult men to take responsibility for their unpleasantness. How many women have started relationships with "unreliable" men in the hope that they could change them, only to realise, much later, that they could not? The more conventional view is that a woman's responsibility is to herself, and that means leaving a violent man.

Indeed, as Melville admits, although Johnson has not hit her during the past five years

— she insists she is no longer frightened of him, and it was his suggestion that she wrote openly rather than anonymously about their difficulties — his potential for abuse does not seem to have vanished completely. "He still insults me sometimes because I am a joke," says Melville lightly. "Or so he says."

The balance of their relationship has also been changed by his illness and his increasing dependence on her. What makes her so certain that she can help other women?

"Relationships are in a dynamic balance and if one part changes, inevitably the other part will change," she replies. "When you see a pattern of fear and the reaction to it, you know it's not going to be just true for yourself. Colin wasn't willing to go to a therapist and that was one of the reasons for the awful frustration that I felt. I saw it as his problem and felt powerless until I realised that I wasn't. It doesn't have to be your problem for you to set about solving it."

If the man you love also loves you, shouldn't he want to solve it too?

"Yes," she says quietly. There is a long pause. "I don't really have an answer to that."

• *Difficult Men*, published by Vermilion on February 4, £8.99  
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Arabella Melville and Colin Johnson: "I always had the fear that if he wasn't in control he could do some really serious damage to me. I really believed he was capable of killing me"

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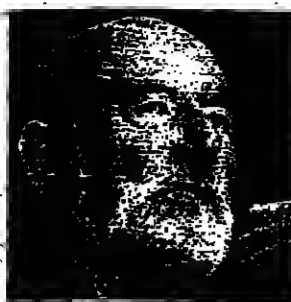
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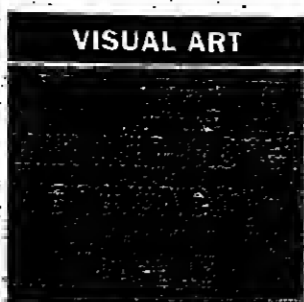
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## ARTS

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# Making drama out of the truth

The problem with trans-forming journals into plays is evident. Where is the dramatic conflict, where the tension to be found in writings which tend to move forward plotlessly, shapelessly and all too chronologically? And the problem is still more acute if the document is predictable, as is the case with the two diary-dramas that have just opened in London. We can hardly be astonished when Marie Bashkirtseff, protagonist of *Brief Candle* (New End, NW3), dies at 24 because a narrator in the splendidly robust form of Denis Quilley has told us at the beginning that she will do precisely that. It is much the same with the multiple mortalities in Mick Gordon's *Intimate Death* (the Gate, W11).

Does this matter? In the case of *Brief Candle*, I fear so. In that of *Intimate Death*, which comes to W11 via workshops at the National, not too much. At the start Gordon's staging of the journals of the Paris psychologist Marie de Hennezel made me feel so good that all thoughts of shape and plot evaporated. But by the end I had to admit that Gordon had created a piece as sensitive and absorbing as Peter Brook's somewhat similar series of case-studies, *The Man Who*.

De Hennezel works in a hospice, and at first struck me as taking an offputting relish in her job. It is not that she is morbid or ghoulish, just that she sounds as if she is committing that most un-English of sins, invasion of privacy. How would you like to breathe your last in the company of a woman for whom it is "an unforgettable opportunity to experience true intimacy"? I listened to Gillian Barge's formidable Marie gravely rabbiting on about

death being "our crowning moment", a sweet and tender event that "binds me to every other human being" and "sends me back to the essential questions of life"; and, like that, were I their object, I would ensure that my last words were "last your impermanence".

But gradually I realised that the problem was not the content but the structure. Instead of hammering us with all this editorialising before showing us any of the human material from which it is derived, Gordon should have interspersed it with the scenes that occur in and around the hospital bed ominously

## THEATRE

standing stage-centre. If Marie talked of "integrating death with life" and stood between encounters with her patients, she would gain in credibility, sympathy and trust — and the evening in variety.

It takes far too much time, to see that she handles the dying and their relatives wisely. An AIDS patient, trapped in guilty, angry silence, belatedly realises his homophobic father loves him; and his mother wants to hold his hand. A cancerous ex-man, distraught yet oddly relieved to find she isn't in a convalescent home, speaks of her husband, God and the blue, blue sky with new candour. A mother, herself a doctor, gives her comatose daughter the blessing that somewhere deep inside her seems to become permissive to let go.

Amelda Brown, Nina Conti, Iain Fraser, Michael Hadley and Nicholas Tizzard, each signalling the moment of death by clambering from bed and quietly exiting, are equally impressive as terminal cases whose

afflictions range from cerebral degeneration to paralysis in everything but the eyelids and a single finger. Finally a drug addict, physically destroyed by a wild life, drinks champagne with her prostitute mother and, murmuring "I want to die", calmly pulls out the oxygen tubes that are allowing her to breathe. If Barge's Marie had told us at the evening's start that this was the most enviable and "beautiful" death she could recall, I might have been sick. By then I believed her — and was moved.

*Brief Candle*, though well staged by Stella Quilley, is a more conventional example of diary-drama. Celia White is another Marie, Marie Bashkirtseff, a Russian aristocrat whose all-round talents and energies were outrageously precocious but who found the fame she craved only when her journals were published after her death from TB in 1894. If Carlo Arditi's script is to be trusted — and it comes across as doggedly conscientious — she was warned off "marrying a would-be priest by the Holy Father himself, had an amusing encounter with the King of Italy and an eccentric correspondence with Maupassant, and was winning prizes for her paintings when the Grim Reaper struck.

White, though lacking quite the electricity the role needs, is a most appealing Marie, and Quilley defies Old Father Time by playing everyone from a lovelorn lad to a canny, quavering Pope. But is the prodigy interesting enough or Arditi's evocation of her sufficiently imaginative to justify her resurrection on an English stage today? There I have my doubts.

BENEDICT NIGHTINGALE



Nina Conti in *Intimate Death*, Mick Gordon's London staging of the journals of a Paris psychologist

## An early night

DARTING between an assortment of old men, bold servants and rapscallions on the streets of Modena the following events occur: a girl twin, whose brother is supposed lost, loves a young nobleman and, in order to be near him, disguises herself as a boy and becomes his page; the nobleman thinks he loves another and uses the page to carry messages to this other lady, who promptly falls for the messenger.

Sounds familiar? Yes, this is the source of Shakespeare's *Twelfth Night*, written 70 years earlier in Siena. The route travelled by the Lelia, Flaminio and Isabella of *Gli*

### The Decolored Riverside Studios

*Ingannati* on their way to becoming Viola, Orsino and Olivia is a matter best left for scholars. Does the original hold the stage today?

Probably. The sexual shenanigans are far bolder than anything to be found in Shakespeare. Syphilis must have been ravaging Italy at the time but a jovial air of enjoyment runs through the play, and Christopher Cairns translates (I cannot say how literally) into lively colloquial talk.

Kenneth Rea has described in these pages the hazards a producer/director must overcome to mount a show of this sort, and these may account for the patchwork success of his production. The design applies the old street-with-doors format to the 1920s but then leaves the actors to walk about a bit, to bring some animation to a scene. This is all right when action is developing, as in Chrissie Cotterill's outwitting of a Spanish soldier on the erotic make (a funny Stephen Ventura), but areas where the past is being unfolded hang heavy. A brave endeavour, then, like plums in a pudding that hasn't quite cooked.

JEREMY KINGSTON

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### ■ FILM

Writer's block plagues Joseph Fiaccone as the Bard in *Shakespeare in Love*  
RELEASED: Friday  
REVIEW: Thursday



### ■ MUSIC

Bernard Haitink conducts the *Carle Duke Bluebeard's Castle* at the Festival Hall  
CONCERT: Saturday  
REVIEW: Next week



A life devoted to preserving the heritage of a genius: Jean-Marie Toulgout in front of his step-grandfather's paintings at the Royal Academy's *Monet in the 20th Century* show

As the current Royal Academy exhibition earns Claude Monet yet more admiration, one man finds himself cast again in the role of Guardian of the Monet Heritage. He is Jean-Marie Toulgout, who never met Monet but has more personal knowledge of his world than most.

Toulgout spent his childhood visiting Monet's house at Giverny. It must have been an extraordinary household. His great-aunt, Blanche Hoché-Monet, was Monet's step-daughter by his second marriage to Alice Hoché, who died in 1911.

Blanche, moreover, was also Monet's daughter-in-law, wife of Monet's son Jean, who died in 1914. After this, Blanche became Monet's housekeeper and secretary until his death in 1926, and continued to occupy the celebrated house for the rest of her life.

Toulgout — Monet's step-grandson — lived with his parents 150 metres from his great-aunt. His grandmother was Suzanne, another of Alice's six children by her first marriage, who moved in with Monet when Alice died. Suzanne died when Toulgout's mother was only one year old, which prompted Monet to show considerable kindness to the little girl.

Toulgout is not a blood relation, then, but journalists would like him to be. Indeed, one suggested fancifully that he might be Monet reincarnated, because he was born in 1927, nine months after Monet's death, and because he is also a painter who has described himself as "dependent on the

# High priest of the Monet cult

goodwill of light on nature". This idea makes Toulgout laugh and grin, with a hint of uneasiness: "I am interested in Indian mysticism," he admits, apparently in jest.

Toulgout visited his great-aunt almost daily when he was little, not least because she would give him chocolate. Nobody talked much about Monet to him then. "But we were completely in the environment of Monet. Nothing was changed, because Blanche didn't want to move anything from how it was when Monet was alive."

Blanche preserved the furnishing and decoration, observed the household routine he had established, and continued to cook the food he liked. Toulgout now finds himself the source of recipes for what Monet used to eat. Young Jean-Marie played in the garden that Monet had planted, and in a house that was full of pictures whose influence is still visible in Toulgout's work.

He left Giverny when he was 20,

and worked — because he could not make a living from his painting — as an architect and in garden design. It was only later, when he had married a Monet historian and was living in Paris, that he and his wife decided to return to live in the family house in Giverny, close to Monet's, embracing a connection that was both a privilege and also (when he feels it eclipses his own identity) a burden.

Together, in the 1970s, they helped his uncle, Jacques Butler, to draw out the plans of the garden in Monet's day. With this assistance it was restored, after ten years of neglect by the French Academy (to whom Monet's other son Michel had left the house), with money from the Giverny Foundation in America and Lila Wallace of *Reader's Digest*.

The garden is not, Toulgout confesses, quite as it was. It was, he thinks, more like the original when it was first restored — but little by little

it has been enhanced for the public to ensure that there is colour all year round. In Monet's day, parts were sometimes not in bloom.

Much had been lost when the restoration began, but more could have been saved. Toulgout recalls how, when he was 13 and France was occupied, Blanche wrote to the Nazi headquarters in Paris, pleading that the house be unoccupied. "Two days later, German officers arrived in a car — Blanche was a bit afraid — and they said: 'Madame, we got your letter. The house will be out of bounds.'"

A sign on the gate forbade German soldiers to enter. The restraint is remarkable, given Goering's reputation for appropriating pictures and the fact that Monet's collection included Cézanne, Sisley, Pissarro and Degas.

Monet was not the only influence on Toulgout's painting. He was taught the basics of the art at seven by his grandfather, the American artist Theodore Butler. Blanche, who

also painted, was a mentor, as was the American Joan Mitchell, who lived near by. What's more, Toulgout's father (a poultry farmer) had Surrealist friends, and Giverny was always a mecca for artists.

Toulgout studied painting in Nice, and at first his work was Cubist and abstract, partly in reaction to the (by then) unfashionable Impressionism. Now, just as he came home physically, he has come back to doing work that consciously refers to Monet, with perhaps the more brilliant palette of Matisse, but with a decorative style of his own. His work, which goes on show at the Francis & Taylor gallery in London in May, is not Monet imitation. But he still paints the garden and the lily pond.

Perhaps this is asking for trouble — for inevitable disappointment and unhelpful comparisons. But Toulgout came back to the style, he says, through his love of nature. And as for the subject: perhaps Monet has made us all want to paint the lily pond.

Toulgout used to own one of Monet's paintings. It was a picture that featured Blanche painting and his grandmother, Suzanne, reading. He sold it in order to go back to live at Giverny, and to give up his office work. "I sold in order to be a painter," he says. No doubt Monet would have understood.

● Monet in the 20th Century, sponsored by Ernst & Young, is at the Royal Academy (ticket booking line 0171-300 8000) until April 18. Jean-Marie Toulgout appears in Omnibus: Meet About Monet on BBC1 on Thursday (10.30pm)

## The best from Barstow

*SALOME* isn't quite the same without the head on the platter. Or is it? Those who have been disappointed that nothing in Opera North's Richard Strauss gala evening was to be staged were reckoning without the extraordinary and ageless talent of the soprano Josephine Barstow. At the end of this concert she gave one of the finest performances of her career in the final scene from *Salome*.

No growing drama of infatuation had prepared her for it: no physical Dance of the Seven Veils had led up to it, other than in the vividly imagined choreography of the English Northern Philharmonia conducted by Opera North's music director, Steven Sloane. Yet Barstow was there, in her own imagination, under that vast moon, pleading first like

child, then with the dignity of one who has made her final decision, for the head of Jokanaan. Barstow's only nod to the histrionic art was in the slightest inclining of the body as she leant forward as if to listen for the moment of execution. And then a single, light touch of the lip with her fingertip as she contemplated her first kiss.

Everything else was concentrated in the voice: a basso profundo of defiance against her mother; the bright, feverish gleam unique to Barstow's *Salome* as speech and song fuse; the silver centre of a single high note as the *Gefestnis der Liebe*, the secret of love, is glimpsed. Barstow was ably supported by Stuart Kale's heretofore animated Herod and Carole Wilson's formidable Herodias.

The English Northern Philharmonia had, of course, been working towards this point all evening. The keening principal oboe inseparable from the haunting - lunar - palette of *Salome* had already shown his mettle at the Presentation of the Rose in an orchestral suite from *Der Rosenkavalier*. Madly, madly, we were not told who did the cut-and-paste job, which was actually more of an affectionate, old-style scrapbook of reminiscences of the opera. Some of the scraps were, indeed, a little ragged round the edges, but Sloane judged to a nice spread of schmalz required for the succession of waltzes.

And earlier, a smaller section of the orchestra sharpened their wits for Strauss's own orchestral suite, *Le bourgeois gentilhomme*, played with due regard for both its merit and its melancholy.

HILARY FINCH

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## CONCERTS

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## ARTS

## POP

Elvis is back!

## Maximum revs

Of the two dozen or so acts that performed at the Astoria last week under the NME Carling Premier Shows banner, none has been talked up by media taste-makers more vigorously than Mercury Rev. Their fourth album, *Deserters Songs*, a delicate and at times wilfully eccentric collection of dispatches from the American rock underground, was heaped with critical praise out of all proportion to its artistic and commercial achievements and, after ten years of erratic manoeuvring, the band from Buffalo, New York, has found itself in the full glare of the spotlight.

On Thursday Mercury Rev responded with an unexpectedly forceful performance that mixed the mournful mood and

edgy dynamics of contemporaries such as Radiohead and Spiritualized with the grandeur of progressive rock giants including Neil Young and even Pink Floyd. It was, in short, one hell of a show.

Apart from a rather flat reworking of Nick Cave's *Into My Arms* and a raging encore of John Lennon's *Isolation*, the set was divided equally between material from *Deserters Songs* and the band's first album, *Yerself Is Steam*, released in 1991. Exuding a studious air of application, the six musicians pushed off with *Goddess On A Highway*.

Although singer and guitarist Jonathan Donahue looked a reluctant frontman, he was not without charisma, and his high, fragile voice lent a poignant twist to *The Finny Bird*

POP

**Mercury Rev/  
Shack  
Astoria, WC2**

and *Tonite It Shows*. Keyboard players Adam Snyder and Dave Fridmann added the majestic sounds of mellotron and other embellishments to the mix but, for the most part, the nuances of the recorded versions were discarded in favour of a bold rock'n'roll dynamic, and numbers such as *Frittering* and *Car Wash Hair* were memorable as much for the cyclonic soloing of lead guitarist Grasshopper as for their undoubted melodic charms.

As the band cruised towards the monumental climax of *Opus 40*, a juddering light-show lent visual drama to a show which plainly marked out Mercury Rev as one of rock's new heavyweights.

Shack, who played earlier, have languished on the margins of British pop for many years. Led by singer Michael Head, formerly of Liverpoolian under-achievers the Pale Fountains, they played pop-lite songs involving pleasantly chiming electric and acoustic guitars and a sound sense of melodic purpose. But, like so many of the bands granted the unaccustomed exposure of a Premier Shows gig, they seemed a little out of their depth in a venue of this size.

DAVID SINCLAIR

## Live from the grave

**Elvis - The Concert  
Wembley Arena**

"ELVIS tickets" the touts were yelling, doing a brisk trade which they were denied in the king's lifetime. Presley set foot in Britain but once and briefly, when his plane refuelled here in 1960. This arguably made the "virtual Elvis" show his British debut — Presley's digitally enhanced image on a huge screen and his youthful voice accompanied live on stage by his now ageing former band and one-time backing singers.

Natalie Cole had no idea what she was starting when she recorded the first beyond-the-grave duet with her late father eight years ago. This was the second coming not quite made flesh but as eerily close as you can get. The celluloid Presley introduced his old sidemen and there they were, grey and whiskery, but sounding just as they always did. Play it, James. Presley told his legendary guitarist in one marvellous moment during *Heartbreak Hotel*, and Burton, now 59, obliged with a blistering solo.

Whether this hybrid form qualifies as genuine live entertainment is another mat-

ter. True, pianist Glen D. Hardin, bassist Jerry Scheff, drummer Ronnie Tutt and Burton were real enough. Yet all eyes were fixed on the big screen while the band recreated their performances of almost 30 years ago around Presley's recorded voice, an exercise in precision rather than inspiration. It had impact, but no more so than a good IMAX film.

The costume changes indicated that the footage came from half a dozen early 1970s concerts, several of the performances from

the documentary *Elvis - That's The Way It Is*. At the time Presley was in good shape, slim and smoulderingly handsome. He was also undergoing a musical renaissance with songs such as *In The Ghetto* and *Suspicious Minds*, which gave the first half of the show real punch. The big early hits such as *Hound Dog* and *Love Me Tender*, delivered in cabaret style, were mostly kept for after the interval.

Towards the end Presley told his audience: "Turn the house lights up, I'd like to take a look at you." It was as if he was talking directly to us, and the screen switched to the Wembley crowd — not just a virtual Presley concert but an interactive one. And so are all our yesterdays about to be digitally transformed into the brave new future of live entertainment? The sell-out audience's enthusiasm proved that the market for such unashamed nostalgia is boundless. The hologram Hendrix and the cyber Sinatra will surely be coming to a concert hall near you soon.

NIGEL WILLIAMSON

## Root-and-branch revelations

The singing of America is something Michael Tilson Thomas has always taken on with a Whitmanesque zeal. His recent years at San Francisco have seen him commissioning and performing American composers, as well as writing himself.

At the start of their European tour it was a case of West meeting East — from sea to shining sea, as it were — as the San Francisco Symphony introduced itself with Charles Ives's *Three Places in New England*. These idiosyncratic tone poems, with their fearless cross-hatching of metre and texture, immediately put an orchestra, and its audience, on their mettle.

The slow march of the black regiment, commemorated in *The Saint Gardens in Boston Common*, starts so quietly, with its fragments of figures coming into focus as from a

long distance, that Tilson Thomas seemed for several seconds to be conducting thin air. And *The Housatonic* at Stockbridge depicts the great slow



CONCERTS

river in a mesmerising pattern of rhythmic undercurrents and irregular eddies of phrasing. Both here, and as one hand collides with another in the central July 4 piece, *Putnam's Camp*, Tilson Thomas seized the momentum behind every shifting rhythm, and his orchestra, responded with swiftness of ensemble.

Tilson Thomas is, of course, as Russian in his roots as he is American in his branches, and

lower down and twinkling in the upper register, to bring out details often missed in the scores. He and the orchestra captured all the bittersweet ambiguity of the Piano Concerto No 24 in C minor, K491: at moments such as the third movement's shy opening, a real sense of mystery hung over the music, keeping the eventual path of the music a surprise. In the 25th Concerto, K503 in C, they found a perfect balance between the music's playfulness and grandeur, with both coming together in the lively dance of the finale.

The Symphony No 39 in E flat, K543, was only slightly less compelling, and perhaps because Levin is more at home behind a keyboard than in front of an orchestra. His conducting may be unconventional, but he found the structure of a work which moves from muted emotions to high spirits. As with the others, this score was illuminated by the OAE's gossamer playing: ironically, the homogenous textures of a modern-instrument performance would have made the music sound much more old-fashioned than it did here.

JOHN ALLISON

## Sublime high spirits



taneous flair yet sounded just right, and they kept orchestra and audience alike on the edge of their seats: a refreshing change from the way in which the same cadenzas are routinely trotted out. Most significantly, the fragile sound of the fortepiano he played (a modern copy of a late 18th-century instrument) drew the ear in, giving the listening experience extra intensity.

Levin used the instrument's tone, dusky



Tilson Thomas: packed a powerful punch

haps, have bitten with sharper teeth. Tilson Thomas preferred to pack punches rather than to conjure terror; but this was a performance of superbly sustained power.

The evening's solo showpiece was Mendelssohn's Violin Concerto played by Gil Shaham. A robust but somewhat unstable and erratic performance was redeemed by Shaham's first-movement cadenza and his slow movement, both of them unusually searching in their thoughtful shaping of suspense and of song.

HILARY FINCH

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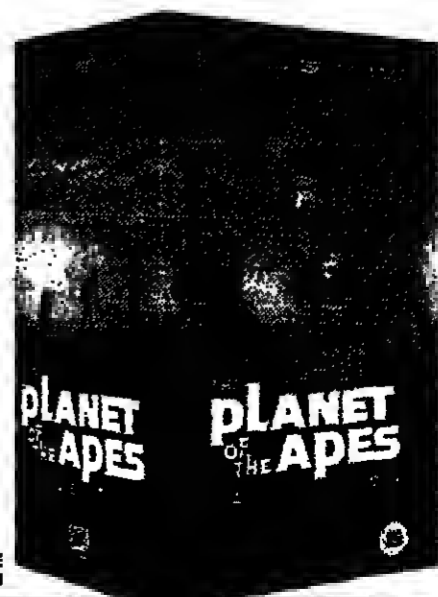
Beansprouts, noticed after a visit to the Tate. Minds open from 10am.

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# Shaken and stirred by Paddy

Ashdown's announcement leaves Labour protesting too much

Tony Blair has spent the month since Peter Mandelson's resignation claiming that nothing has really changed. New Labour modernisation is continuing as before. Similarly, we are told, Paddy Ashdown's departure will not affect Labour-Liberal Democrat co-operation and their aim of making the Centre Left the dominant force in British politics. But the very frequency and force with which such claims are made reveals how unsure the Blairites now are.

There is a temptation to link the two departures and to regard Mr Ashdown as the fourth victim of the Mandelson affair. That is too glib. The story began with the report in late October of the Jenkins Commission on Electoral Reform. While Mr Blair welcomed its broad thrust, his response was cooler than leading Liberal Democrats expected. This partly reflected the hostility of many in the Cabinet and on the Labour back benches. An early referendum on electoral reform has therefore looked increasingly unlikely. The subsequent mud-died extension of Labour-Lib Dem co-operation was badly received in both parties and put Mr Ashdown on to the defensive.

All this happened before Mr Mandelson's resignation. He was the leading Cabinet advocate both of new Labour and of co-operation, and his departure fuelled speculation about a shift away from new Labour. Mr Blair has quickly underlined his intention to stick to new Labour policies. In particular, there have been announcements on education that have directly challenged failing local education authorities and schools by proposing the involvement of outsiders, including private companies.

Mr Blair has also reaffirmed his political strategy. He reacted to John Prescott's rumblings about links with the Lib Dems by initiating an extension of co-operation to European security and defence policies. That was also done in the knowledge of Mr Ashdown's announcement last Wednesday. Despite his earlier decision for family reasons, I still wonder whether, if the Government's response to the Jenkins report had been more positive, and Mr Mandelson's departure had not removed a key ministerial ally, Mr Ashdown might not have been persuaded to stay on longer. Everything would also have looked different if Labour had had a majority of 50 or fewer and Mr Blair had formed a coalition with the Lib Dems.

Downing Street has repeatedly said that co-operation will continue and may even extend to areas such as pensions. No likely successor to Mr Ashdown is going to repudiate his strategy, however sceptical they sound during the leadership contest. Mr Ashdown has talked as if the battle is as good as won and his successor will lead his party into government after the next election. He has certainly taken his party a very long way in the past 11 years, but the future direction is less certain. Many

in both parties are hostile and there is little appetite for a big leap forward this side of the election. Moreover, as Mr Ashdown admitted yesterday, he and Mr Blair differ over long-term aims. Mr Ashdown looks to a pluralist politics of co-operation between separate parties based on proportional representation. But Mr Blair talks about a "Big Tent" inclusiveness in which new Labour embraces the whole Centre Left, ending the century-old schism between the Labour and Liberal traditions.

Mr Blair remains clear in his strategy, but unsure tactically, especially with the departure of two close allies. He is also ambivalent about the Lib Dems. He respects Menzies Campbell, who has a high reputation on foreign and defence affairs, though Downing Street's approval would not help his leadership chances, or those of Charles Kennedy. However, if anyone else became leader, Mr Blair might listen more to his advisers, who argue that it is not worth wasting time on such an unreliable and self-righteous bunch. Instead, new Labour should reshape the Centre Left on its own. But, in the long term, that ignores the continuing strength of old Labour and the possible need after the next election for the support of the Lib Dems against a revived Tory party.

However, perhaps the most potent political factor remains Europe and the promised referendum on a single currency. That would bring Labour and the Lib Dems together with the minority of pro-European Tories under a centrist umbrella. The odds are still that a referendum will not be held until after the next election. Mr Mandelson was the Cabinet's most public advocate of getting ready for entry, but his departure has been partially offset by Robin Cook's shift from his earlier scepticism. I predict that one of the big political stories of the year will be Cook's re-emergence as a major player, on both Europe and these broader political issues, on both of which he is now closer to the modernisers than his old allies on the Left.

Mr Blair faces growing pressure to make public his private belief that it is a question of when and how, not if, Britain enters the euro. That is necessary both to persuade business to prepare and to help to swing public opinion behind entry. (The latest poll shows a drop in opposition since the launch of the euro.) A revealing indicator will be the language used when the Government unveils the National Changeover Plan in mid-February. Mr Blair and Gordon Brown have not yet decided on the precise emphasis.

Blairism has been more shaken than his leader would admit. But Mr Blair now has a chance to show that his political strategy, as well as his policies, remains on course. Boldness on the euro would not only strengthen Britain's position in Europe but would also reshape the political landscape at home.

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Peter Riddell



LORD PROTECTOR OF THE NEW COMMONWEALTH

## Cromwell, where are you?

The Lord Protector left a bloody legacy, but at this time of constitutional ferment we need another man of destiny

On January 30, 1649, King Charles I was beheaded on a platform, just outside the Banqueting House, in Whitehall, on January 21, 1793, King Louis XVI was guillotined in what is now the Place de la Concorde; on July 16, 1918, Tsar Nicholas II was shot in the House of Special Purpose at Ekaterinburg.

The killing of the King was the climax of each of the three great revolutions of modern Europe. Each death has had a long historic resonance: the English revolution not only influenced the other two, but laid the ideological foundation for the American Declaration of Independence. Like the killing of the Austrian Archduke, Franz Ferdinand, on June 28, 1914, in Sarajevo, the execution of Charles I is an event in a history we are still living.

Gilbert Burnet, the 17th-century historian who was to become Bishop of Salisbury, was only five years old when the King died; nevertheless, his judgment of the conduct of Charles I is the classic expression of a common contemporary view. Burnet was later to give the sermon at the Coronation of William and Mary, after the Revolution of 1688.

"The King himself showed a calm and a composed firmness which amazed all people; and that so much more, because it was not natural to him... it was owing wholly to somewhat within himself that he went through so many indignities with so much true greatness, without disorder or any sort of affectation. Thus, he died greater than he had lived; and showed, which had often been observed of the whole race of the Stuarts, that they bore misfortune better than prosperity."

"His reign, both in peace and war, was a continual succession of errors; so that it did not appear that he had a true judgment of things. He was out of measure set on following his humour, but unreasonably feeble to those whom he trusted, chiefly to the Queen. He had too high a notion of the regal power, and thought that every opposition to it was rebellion. He minded little things too much, and was more concerned in drawing a paper than in fighting a battle."

The great 17th-century issues at the root of the Civil War are not dead; most of them are not even sleeping. When they killed Charles I, the republicans thought and the monarchists feared that was an

end to the monarchy, that there would never again be a King of England. Most people would have been amazed to learn that the monarchy would be restored and would then survive for 350 years.

Yet English republicanism is also still alive. The abolition of the hereditary principle in the House of Lords leaves the monarchy as the only hereditary part of the British constitution. The close link between King and Lords was demonstrated in 1649: the Lords were abolished by Cromwell only five days after the King had been beheaded.

The Civil War was not just an English matter. There were really three civil wars, an English one, an Irish one, and a Scottish one. They had their own character and at every stage, they interacted. Charles would not have had to call a Parliament in 1640 if the Scots had not defeated him in the Second Bishops' War; they had even occupied Newcastle and Durham. He would not have ended in Cromwell's hand if the Scots had not surrendered him in 1646; they sold him for £400,000. As Charles was King of Scotland, this is a transaction of which Scottish historians are still ashamed. From Stratford's administration in Ireland to Cromwell's genocidal suppression of the Irish revolt, Ireland, like Scotland, was essential to the struggle in England. Both these national issues remain unresolved and ominous in 1999.

If Charles had been prepared to hand over powers to Parliament, he could have saved his life, right down to the last moments. He was distrustful because he was thought too close to the Roman Catholic European powers; his dominant wife was a French Catholic of Italian descent. The constitutional issues of 1649 included the future of the monar-

chy, the future of the House of Lords, the powers of the House of Commons, relations with Europe and the national independence of Ireland and Scotland. On these issues, men felt passionately enough to kill and to be killed.

All of these are still constitutional issues in 1999; Ireland at least has been a life-and-death issue for most of the past 30 years. They have a fatal energy about them; Europe had the force to split the Conservative Party in the late 19th century, the late 20th century, as Ireland split the Liberal Party in the late 19th.

It is natural that parties should form, split and reform around these conflicts. These are the things people care for most in politics. In the 17th century the question of loyalty could be expressed in this way: does one owe loyalty to King or Parliament, to monarchy or to the will of the people? Now the immediate conflict of loyalties is between Europe and Britain, or perhaps between Europe and England; the Eurosceptics say it is a conflict between bureaucracy and democracy.

There is also the conflict between the independent nation and any larger allegiance. Cromwell broke Scotland, politically and militarily, and that provided the basis for the Act of Union, 50 years after his death. Yet Scottish independence is again a growing cause. Even more brutally, Cromwell broke Ireland; it was not for 270 years that Irish independence was regained. These national loyalties cannot be eradicated in the end the grass grows through the concrete.

When politicians have to deal with these explosive forces, which decide the future of nations and dwarf the ordinary scale of political life, a particular kind of leader is likely to emerge, someone with an immense appetite for power, a capacity for ruthless action, a

soaring confidence in a personal destiny and, quite often, a genius for duplicity. All of these qualities were possessed by Cromwell, none of them by Charles I. Both men were willing, enough, to deceive, but Cromwell deceived successfully; repeatedly playing off Presbyterians against Independents, Parliament against Army, Charles was an amateur of deception, ever more deeply mistrusted.

Oliver Cromwell was a horrible great man. Charles was a noble, silly, weak King. The Irish still remember and detest Cromwell for his massacres. After 3,000 people had been killed at Drogheda, on Cromwell's orders to take no prisoners, he commented that it was "a righteous judgment of God upon these barbarous wretches". Even the Irish genocide has a modern echo: another military dictator, Augusto Pinochet, is alleged to have killed 3,000 people in Chile. Perhaps we should extradite Cromwell's statue to Spain, rather than leaving it to stand outside the Parliament he purged.

In the 1640s the whole tempo of English politics accelerated, as it did in France after 1789, or in Russia after 1917. Leaders emerged, proved inadequate and were swept aside. Some could survive the floodtide of events for a year or two, only to disappear. The weak King had chance after chance to avoid the catastrophe. He could take none of them. In the end, it was the strong man, who saw himself as the man of destiny, who prevailed. Yet at an unforgivable price in blood.

No one supposes that Britain, at the end of the 20th century, is about to experience another revolution. But the issues which confront British politicians are again revolutionary ones, the break-up of the United Kingdom, integration with Europe, the shift of sovereignty away from the House of Commons. The social situation is not revolutionary, or even pre-revolutionary, but these constitutional issues have an energy which can destroy the calculations of rational politics. In the coming years, we shall see who can breast this tide. He will need to be much more of a Cromwell than a Charles; he will need to be better at fighting battles than at crafting papers.

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William Rees-Mogg



## Prime sauce

FIRST we have Jeremy Clarkson as Tory transport spokesman; now a cookery presenter is advising the Government on the arts. Loyd Grossman, who draws affectively on *Masterchef*, *Through the Keyhole* and other television epics, will sit on a new Design Group examining the future of libraries and museums. The move follows news that Clarkson will be hired to rail about the Government's arts policies. Grossman will help Chris Smith, Culture Secretary, to "promote wider access" to archives and collections. Smith must have been attracted by Grossman's work advertising pasta sauce.

YOKO ONO has been making peace, not war, with the Leasons. Inga Pedersen, adopted out of Lennon's family shortly after her birth, was omitted from the singer's will. Now Yoko — who has a bracing relationship with most of his clan — is keeping Inga sweet by sending her food hampers.

## Boot camp

GAZZA could be going up to university. Johan Cruyff, the former Dutch international footballer, is setting up a college for ageing sports stars, designed to guide them away from the "George Best retirement route". Cruyff (pictured left) wants to help them over the "black hole" which opens when



they run out of puff; his Netherlands centre will offer courses in marketing, management and sports journalism, and Gascoigne, 31 (right), is an ideal Freshie. Says my source at the university: "It will keep him out of trouble — if he avoids the student bar."

Grandee back-scratching. Lord Goodman and Lord Kissin, the moustachioed boulder, took care of each other. Goodman, the late political fixer accused of plundering Viscount Portman's fortune, helped Kissin to fend off a takeover bid for his merchant bank in the late Eighties; Kissin returned the favour by paying the rent on his Portman Place flat until Goodman's death in 1995.

## Sit Vac

OUR most prominent female bar-rister is fighting the Foreign Office for money. Baroness Kennedy of the Shaws chairs the British Council, and wants to award a fat-cat salary to its next Director-General: the FCO, which gives the council £133 million a year, is resisting. The DG's job has lain vacant since David Drayner resigned in November (Helena slapped him down



after he tried to remove the senior board of management) and she wants to "reward experience" with £120,000 a year. The FCO is wary. Says my mole: "Anything over £100,000 is excessive."

SNP spinners have an apt spot to slake their thirst. The party's media centre in Edinburgh is next to Fibber McGee's pub, named after "someone who never told the truth and always had a tale".

## Lifer

TOFFS by the back door. The editor of *Burke's Peerage* applauds Tony Blair for keeping Europe's oldest traceable family in the Lords: Orson O'Neill, the Principal of Newnham College, Cambridge, who was recently created a life peer, can trace his lineage back, through the High Kings of Ireland, to AD360. The O'Neills are descended from Eochu Mugreder, King of Tara, "gushes Charles Mosley, 'It's good to see new Labour giving our older families seats'."

JASPER GERARD

## 'This is a God-forgotten place,' the Russians are fond of saying, and it is sometimes hard to disagree with them

Russia has been famous for many centuries as one of the world's worst offenders as far as almost every kind of human degradation goes. Travelers as far back as the 10th century have described Russians as animals and have been terrified by Russians' inhumanity to Russian. Konrad Bussow, a German merchant living in Moscow, wrote awe-stricken of the horrors of the 1601-04 famine. This period was one of the many in Russian history known as "the time of troubles", but how troublesome does a time have to be for people to abandon the very features that make them human?

"But I swear by God that in Moscow I saw, with my own eyes, people who rolled in the streets and, like animals, ate grass during the summer and lay during the winter. Some of those who died had hay as well as human excrement in their

mouths. Parents killed, prepared, and cooked many of their children; children did the same with their parents; hosts with visitors; and visitors with hosts," wrote Bussow.

Admittedly things are not quite as bad as this today, but the tabloid press is nonetheless full of tales of barely human deeds, of people who seem to have lost not only their moral values but their very animal instincts.

There are mothers ordering contract killing of their sons, prisoners intentionally infecting each other with tuberculosis and people attempting to sell their unwanted children for dollars. In an experiment with gorillas, some American sadists discovered that if one heats the floor under a mother's feet, she will eventually stand on her child to relieve herself of the pain. Somebody appears to be heating the floor under Russia again.

I met a Russian Jeremy Paxman-type person last week who was in a despairing mood about his country. "I mean, almost all animals have it in them to look after their children and to preserve themselves. We seem unable even to manage that," he sighed. Although thought of as a witty and irreverent character by his viewers, this man uses his humour for a purpose — to prick the pomposity of the politicians he singles out for derision and to highlight the desperate problems of his compatriots. In life, he is serious and genuinely downcast at the state of his motherland.

In some Russian prisons up to two thirds of the inmates suffer from TB. Everybody here knows

about it, heads are shaken, eyes are rolled and foreheads are stroked by exasperated hands. This is all quite bad enough, obviously, but now prisoners have begun selling the disease to each other in order to wheedle preferential treatment (by what means, exactly, they infect each other, God knows). "Seriously," nodded the charismatic television presenter who had brought it up, "it's awful, but it's true. We did a piece about it."

The situation in Russian prisons is so Dickensianly appalling that the idea of trying to get ill on top of the basic problem of trying to survive even in perfect health is unthinkable. "This is a God-forgotten place," Russians are fond

of saying, and it is sometimes hard to disagree.

Last week yet another heart-wrenching tale of economic hardship in a moral vacuum popped up — that of a young couple apprehended in the process of selling a baby boy for \$6,500. Yulya Melnikova, 22, and her boyfriend had actually gone all the way from Moscow to Vladimir to collect Melnikova's baby son from the grindingly depressing orphanage in which she had placed him at birth. She feigned a change of heart and love for her baby and he spent a few days with his mother before she brought him to Moscow, where a 38-year-old male buyer, and thankfully the police, awaited him.

The sale and attempted sale of babies is by no means rare in Russia, and little Roman, Melnikova's son, is now a resident of Moscow Children's Home No. 6

where he is the third nearly-sold baby taken in over the past year. In Russia's nightmarish orphanages, which house more than 200,000 children, more than 90 per cent of children have one or both parents living — people who voluntarily give up their own children to institutions so awful that an estimated one million Russian children prefer to live on the streets.

Westerners like to blame this country's ills on Communism, but Captain Richard Chancellor attests to the fact that Russia and her people have had it bad much longer than that. In 1533, having arrived in Russia by accident, Chancellor made his way to Ivan the Terrible's Moscow. Afterwards he wrote: "In my opinion there are no such people under the sun for their hardness of living." Nothing has changed.

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Anna Blundy





## LET BATTLE BEGIN

Liberal Democrats cannot suspend an election for five months

There will have been many anxious telephone conversations among top Liberal Democrats this weekend, even if silence has been maintained in public. It is a tribute to Paddy Ashdown that there are now seven possible contenders considering a bid to replace him. This is more than the total number of Liberals elected to the House of Commons as recently as 1970. But the manner in which this contest is conducted is far less commendable. The candidates are supposed to make no formal announcement and avoid any personal campaigning until after the results of the elections for the European Parliament are declared in 20 weeks' time. This would be odd in any circumstances. For a party that prides itself on democratic participation it is ridiculous.

The original desire to defer debate is not entirely illogical. The Liberal Democrats are a relatively small organisation and depend upon a limited number of activists. Those resources will be stretched fighting local elections in England, seeking seats in the Scottish parliament and Welsh assembly, all of which will be swiftly followed by the European Parliament ballot. The distraction of a full-blown leadership battle could, it is feared, redeploy manpower and energy at the expense of their electoral prospects. It might also prove a divisive struggle that damages the party's image in the country.

There are, though, more persuasive reasons why Liberal Democrats would be wise to end the phoney war and let their contest commence in earnest. The first is one of simple practicality. Every act and word of the prospective candidates will be analysed over the next few months for some wider meaning. It will hardly help Liberal Democrats at the polls if party luminaries are obliged to be deliberately bland in order to suppress speculation. Shadow campaign organisations will inevitably

need to be established and it will be impossible for them to function in secret. There are also positive virtues for the Liberal Democrats in a lively if lengthy leadership engagement. It will provide plentiful publicity for a party which often complains that it is neglected by the media. As the entire rank-and-file is permitted to choose Mr Ashdown's successor, a membership increase on some large scale might be expected. This would have the further advantage of enhancing party coffers. All this should help in the elections.

There is also a wider issue of public interest. The central question facing Liberal Democrats today is their relationship with the Labour Party. Voters are entitled to know when they cast their ballots this spring whether Mr Ashdown's *entente* with Tony Blair will continue much as before, be reduced in intensity or abandoned completely. Some voters will approve of the Ashdown-Blair pact and be inclined to back the party on that basis. Others who voted for Labour in 1997 might sense that it renders support for the Liberal Democrats, in protest at some aspect of government policy since then, redundant.

Unless candidates are allowed to set out their stalls it will be impossible to make any estimate of the direction that the Liberal Democrats may be taking. Should a six-month leadership contest be deemed excessive there is an alternative. If Mr Ashdown's resignation were made effective immediately, the entire race for his crown could be completed in six weeks, ending well before the May elections. A fresh figure rather than a lame duck would take the Liberal Democrats into those forays. The first months of Mr Ashdown's leadership were marred by an embarrassing argument over the name of his new party. It would be unfortunate if the last months of his tenure were scarred by an equally slapstick system for succession.

## GREEN MISCHIEF

If Germany wants an end to nuclear power, it must pay the price

Gerhard Schröder's struggle to forge his Red-Green coalition into a coherent German Government has, until now, been complicated more by the Reds, in the restive person of his left-wing rival Oskar Lafontaine, than by the once untameable Greens. Herr Lafontaine's frankly socialist ambitions have seriously embarrassed a Chancellor anxious to pose as a centrist friendly to business. In the heart of the new German politics, Joschka Fischer, the Greens' leader, has, until now, behaved commendably by contrast, repaying Herr Schröder's trust and the award of the Foreign Minister's portfolio by muffling his hostility to Nato and enthusiasm for a United States of Europe in a blanket of consensual discretion. The illusion that all was quiet on the Green front may explain why Herr Schröder should seemingly have sleepwalked into a Green ambush over nuclear power.

The Greens, determined to rid Germany of the nuclear power which produces 35 per cent of its energy, have started with a law banning all recycling of German nuclear waste by January 2000. Because this processing is done not in Germany, but by France's Cogema and by British Nuclear Fuels (BNFL), that means cancelling contracts with these companies worth £3 billion and £1.2 billion respectively.

Herr Schröder has little enthusiasm for the Greens' anti-nuclear crusade, and no wonder. Shutting down Germany's 19 nuclear plants, most of which have 40 years of safe life in them, is likely to cost £30 billion and 150,000 jobs. That is why Herr Schröder hopes to phase it over 20 to 40 years, not by 2004 as the Greens demand. Nuclear fuel is unpopular in Germany, but so will be the price to taxpayers of decommissioning. The move is also environmentally unsound; cost-effective alternatives to nuclear energy will

increase the emissions of "greenhouse gases" that Germany is obliged under international treaties to reduce. Germany has no national waste management plan, and its plants cannot build secure storage dumps by next January's deadline. To take back the 3,800 tonnes of waste treated in France, plus 30 tonnes of plutonium fuel, will require 40 convoys trundling across Germany. These are the shipments that, in opposition, Greens fought pitched battles to stop. Germany could also have to take back 650 tonnes of treated and untreated nuclear waste from BNFL.

These problems are Germany's business; but its decision to end nuclear reprocessing damages French and British interests too. Germany refuses to accept liability for breach of contract. The Green Environment Minister claims that Germany is absolved by the "act of God" of having changed governments and laws. This displays little more respect for legal principles than the slogan "might is right", which Germany of all countries ought to wish buried deeper than the most toxic wastes.

Herr Schröder's claim last week to have read the contracts and found "no cause" for damage claims by companies or governments is unconvincing. Germany's contractual obligations are clear, and onerous. "Sale or return" clauses have been written into the commercial contracts, which are backed by intergovernmental accords which the furious French rightly insist are tantamount to treaties. To hold his coalition together, Herr Schröder may have felt obliged to give way to the Greens. He will pay dearly at home as the consequences become plain. Nor can he escape the international consequences. Backing their industries, Britain and France should insist on exacting every penny that is due.

## 666 AND ALL THAT

Most people will prefer the Devil they know

"If I were a painter," mused William Congreve, "I would draw the Devil like an idiot, a drivelier with a bib and bell." Such illustrations will no longer find favour in the Roman Catholic Church. Just days after the Vatican declared that God is "not to be imagined as an old man with a flowing beard", Rome believes it is now time to remould the Devil's image. Out goes all references to Beelzebub, the Foul Spirit, the Accursed Dragon or the Master of Deceit. In comes a "more subtle and sophisticated" definition, which recognises that the force of evil lurks in all individuals.

Under various names — the fallen angel, the Lord of Flies, the Lord of Dung, Lucifer — the Devil has been trying to tempt man to reject the way of life and redemption and accept the way of death and destruction. In Genesis, Satan is portrayed as the serpent, tempter of mankind. St Peter warned the Christians of "a roaring lion", while Martin Luther cautioned people to beware of "a silly sheep". At other times in his diabolical career, Old Harry has been depicted as a woodpecker, a blackbird, a leopard and a series of numerals — the most popular being Hell's emergency number, 666. Yet the attributes of the Devil most people recognise were appropriated from Greek gods. Satan was given Pan's

horns, cloven hoofs, tail and hairy lower body, and Poseidon's trident, and took over Hades's role as Prince of Darkness. There was good reason to give evil a face. People found it easier to understand and accept an idea when it was manifested in either in animal or human form, rather than expressed as a vague, abstract notion. Hieronymus Bosch's painting of a monster with flaming hair who gobbles up human beings, or Signorelli's grey-skinned creature with a single horn squashing a woman, have a simple aim: to terrify people about the Devil's intentions.

Attempts to reduce the Archfiend to a modern medical concept of "psychological disturbance" are destined to fail. At the end of the 20th century, Lucifer is engrained in popular culture. There is the Devil's dozen, snuffbox, nostrils, four-poster, candlestick, shoestrings and punchbowl. At the last election, Demon Eyes peered down from Conservative election posters, trying to scare voters away from the Prince of Darkness's party. The forces of good are still fighting the powers of evil — Darth Vader, Blofeld, the Joker, none of whom is the "subtle" definition of evil that Rome now endorses. The Vatican may try to give evil a make-over but most people will prefer the Devil they know.

## LETTERS TO THE EDITOR

1 Pennington Street, London E1 9KN Telephone 0171-782 5000

### Caution needed in witness protection

From Mr Jon Holbrook

Sir, The Youth Justice and Criminal Evidence Bill, now in its committee stage in the Lords, proposes to protect "vulnerable and intimidated witnesses". Much of the clamour for legislation on this issue stems from Julia Mason's lengthy cross-examination by the man who raped her, Ralston Edwards (reports and leading article, August 23, 1996).

In the two and a half years since that celebrated trial hardly any instances of witness intimidation have reached a victim-friendly media. By contrast, the media have been full of cases where witnesses have either lied or been mistaken. Today you report the conviction of a jealous woman who made false rape allegations against six men, and Jonathan Aitken's admission of perjury.

In her letter of January 18, supporting the Bill, Helen Reeves (Director of Victim Support) does not complain about actual witness intimidation. Rather, she refers to witnesses' "perceptions" of the court process. Honest witnesses have little to fear in discharging their public duty by going to court.

The Lords could help get this message across if they threw out those parts of the Bill that seek to protect vulnerable witnesses. Fears grow if they are fed; they shrink if they are challenged.

Yours faithfully,  
JON HOLBROOK,  
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January 20.

From Mr R. W. Farrington, JP

Sir, Ms Helen Reeves would seem to believe that when a woman says she has been raped there should be a presumption that she is telling the truth, which may be tantamount to presuming the guilt of the man charged.

All the special arrangements she advocates are open to a glaring objection, that they will suggest to a jury that the alleged victim has indeed suffered what it is claimed she has suffered. But it is just this that the jury has to decide.

Are we content to slip towards a position in which men charged with rape have to prove their innocence?

Yours truly,  
ROGER FARRINGTON,  
77 Marsham Court,  
Marsham Street, SW1P 4LA.  
January 18.

### Millennium flights

From Mr Maurice Fitzpatrick

Sir, Your leader of January 16, "In the millennium hot seat", applauds the insistence by the Chinese Government that senior personnel of the state airline should book themselves on flights straddling the end of the millennium, as an incentive to protect their planes against crashing as a result of the millennium bug (see also letter, January 20). You suggest that Western airlines might do the same.

Such a drastic measure is unlikely to prove necessary since I suspect that few Western airlines will be putting planes in the sky over that period. Even if they were prepared to put passengers' lives at risk (which they are not), such flights would effectively be bereft of full insurance cover.

Some airline insurance companies have already made it clear that their cover will exclude the most common claims, such as the loss of baggage, arising from the consequential effects of the bug (report, December 28, 1998). Their justification is entirely logical: insurance covers unforeseeable risks, of which the bug is not one.

Unless these problems can be solved, it seems likely that many aircraft will be grounded for a period of unknown length, straddling the arrival of the new millennium. Airlines might like to clarify their bookings policy during that period.

Yours faithfully,  
M. C. FITZPATRICK,  
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January 21.

### Legal aid reforms

From the Lord Chancellor

Sir, The President of the Law Society ("Cash limit will affect quality of legal aid", Law, January 19) expresses fears that civil legal aid reforms will result in an unacceptable restriction in public choice of legal aid solicitors. Such fears are unfounded.

Today any solicitor, whether he has the expertise or not, can run a case on legal aid from beginning to end. The point of my reforms is to give people on legal aid a choice from among about 3,000 quality-assured firms. That compares with the 4,987 offices today which do 92 per cent of legal aid work in value, about 40 per cent of which are not quality-assured.

I would sooner have legal aid with an assurance of quality than a slightly wider choice without.

Yours sincerely,  
IRVINE LAIR,  
House of Lords.  
January 21.

### Practice and theory for nursing

From the Chair of the Royal College of Nursing Council

Sir, In his argument for a separate college of practical nursing (letter, January 19; see also letters, January 12) Dr Max Gammon criticises "the heavily academic bias" of current nursing education. In fact, 90 per cent of student nurses study for a higher education diploma and split their time equally between practice and theory. In pre-diploma days the divide was 60 per cent practice, 40 per cent theory.

The introduction of the diploma saw no increase in minimum entry requirements. Increasingly people enter nursing education with vocational qualifications: NVQ/SVQ level 3 or GNVQ advanced, both equivalent to five GCSEs. Many mature students require no formal qualifications.

The diploma was introduced ten years ago because of high dropout rates from nurse training. It was also prompted by the need for nursing education to reflect changes in health-care. Today over a quarter of nurses work in the community and, given the drive towards primary care, that proportion is likely to increase. Hospitals are also changing, with patients staying for much shorter periods and therefore demanding a higher intensity of specialised nursing care. Nurses in my own field of day-care services need a breadth of knowledge to enable them to practise both in hospitals and the community.

Difficulties exist with the current system, of course. The RCN wants better support for students when they are on placements in hospitals or in the community. Steps must also be taken to ensure that nursing students have acquired all the necessary skills on completion of their course. But simply to call for a return to the old days is unhelpful.

Yours faithfully,  
DEBBIE MURDOCK,  
Chair, RCN Council,  
Royal College of Nursing,  
20 Cavendish Square, W1M 0AB.  
January 20.

From Lord Jenkin of Roding and Dr Sir Gerard Vaughan

Sir, We were ministers at the then Department of Health and Social Security when the foundations for what became Project 2000 were laid in the early 1980s; following legislation passed before the 1979 election.

The Briggs report had spelt out the inadequacies of the then existing system of nurse training, which relied on large numbers of nursing students on hospital wards, many, indeed most of whom were little more than cheap

labour. Their academic education was patchy and too few went on to gain degree, or degree-equivalent, qualifications.

Today's picture is very different, mainly because the needs of the NHS have changed. Far more emphasis is now given to primary care; in 1977 there were only 1,500 nurses working in GPs' surgeries; by 1996 the figure had risen to 18,000. So of course there is more training in the community and less in hospitals.

For those who work in hospitals, shorter patient stays mean more pressure on staff and there has been a steady call for more clinical responsibility to be given to nurses, leaving doctors free to concentrate on the most seriously ill patients.

Project 2000 has therefore tilted the balance towards more education on academic subjects with less time for learning practical skills. Yet this must not be exaggerated: the balance today is about 50:50 compared with 60 (practical) 40 (theory) pre-Project 2000.

In the light of this we view with some dismay the suggestion by the Secretary of State for Health (report, January 16) that the clock should be put back. This seems to have surfaced in the wake of recent winter pressures on the service, with no regard to the review of nurse education led by the UK Central Council for Nursing, Midwifery and Health Visiting, due to report in the autumn. Nurse education is too important for knee-jerk reactions.

Yours etc,  
PATRICK JENKIN,  
GERARD VAUGHAN,  
28 Ponsonby Terrace, SW1P 4QA.  
January 20.

From Mr Stephen Timmons

Sir, Frank Dobson believes that the academic component of nurse education is putting potential applicants off. Yet the figures you quote suggest the opposite. Degree courses are oversubscribed, while diploma places are unfilled. Five GCSEs (or equivalent) are required to enter a diploma course. Applicants who do not have these can take an aptitude test.

Are poor pay and working conditions far more of a disincentive than academic requirements?

Yours,  
STEPHEN TIMMONS,  
Senior Lecturer, Healthcare Practice,  
Anglia University,  
12 River Mead, Bocking,  
Braintree, Essex CM7 9AX.  
s.timmons@anglia.ac.uk  
January 18.

### Goodman's good name

From Mr David Astor, CH

Sir, The wholly unsubstantiated allegations against the late Lord Goodman (reports, January 19; letters, January 21) should not be generally accepted until detailed facts behind them are offered. Meanwhile, it can safely be said that no one who knew Arnold Goodman at all well can recognise him in the terms in which his anonymous ill-wisher has presented him.

He is accused of using money to gain influence. In fact his influence came entirely from his outstanding ability to negotiate intractable industrial and political disputes and to advise shrewdly on all matters concerning human relations. He handled money matters so seldom and so indifferently that towards the end of his life he astonishingly had to sell his small collection of paintings to help buy his retirement bungalow outside Oxford.

He is alleged to have been devoted to the Labour Party. He never was.

He worked professionally for Hugh Gaiskell. His dealings with Harold Wilson were unhappy. But he worked unpaid for Sir Alec Douglas-Home when asked to undertake tiresome but important negotiations over Rhodesia.

Above all, he is accused by his traducer of dishonesty. He was in fact distinguished in public and private life by his strict fidelity to the truth, his total confidentiality and his scrupulous care in all his dealings. This was the basis of all his many influential relationships.

No doubt, like the rest of us, he made mistakes. In the latter part of his life he made more mistakes. But when the details of whatever muddle he may have become involved in in his last years are revealed, they seem highly unlikely to have any serious effect on his great and real reputation, which this rather cowardly posthumous attack seems intended to destroy.

Yours faithfully,  
DAVID ASTOR,  
24 St Ann's Terrace, NW8 6PJ.  
January 22.

### Workplace smoking

From Mr Kenneth Torricke-Barton

Sir, Thurrock council's decision (report, January 15) to make smokers work an extra 2½ hours a week to compensate for cigarette breaks is misguided, as well as fashionably draconian.

To prevent wasted time, responsible bosses offer fair workplace smoking policies. Enlightened ones provide facilities to enable people to continue work while smoking. Even the White Paper on tobacco, *Smoking Kills*, published in December 1998, advises against workplace smoking bans, with the Government committed to a code of practice that will accommodate smokers.

As Thurrock council chose to ban smoking, it should compensate smokers for the inconvenience of standing outside instead of penalising them with longer hours.

Yours truly,  
K. TORRICKE-BARTON  
(Co-ordinator,  
Fair Cigarette Tax Campaign),  
Deakin Leas,  
Tonbridge, Kent TN9 2JT.  
January 15.

### Bride for the Nineties

From Mr Brian Parker

Sir: The success of the 98-year-old Chinese man in attracting 11 replies to his "marry me" advertisement (World in brief, January 19) reminds me of the story of a 70-year-old who sought similar good fortune.

He asked for advice: "Should I subtract 20 years from my age?"  
"No," was the reply, "you would do better if you add 20."

Yours sincerely,  
B. H. PARKER,  
Rook House, Victoria Road,  
Dartmouth, Devon TQ6 9HD.  
brian.parker@virgin.net  
January 20.

### Sentenced soldiers continue to serve

From Mrs Jean McBride

Sir, On Friday January 15 you carried a report on a former British soldier, Clive Sutton, who was discharged from the Army following a court case which found that he had killed two pedestrians while drunk-driving. In 1993 he was sentenced to four years' jail.

On September 4, 1992, my son, 18-year-old Peter McBride, was shot dead by two soldiers, Scots Guards Mark Wright and James Fisher. They were sentenced to life imprisonment by a Belfast court but were granted early release in September 1998. Despite the murder convictions they were not discharged from the Army and remain serving soldiers.

For some time I have sought information from the Minister of State for the Armed Forces as to why two men convicted in a court of law of murder have been allowed to rejoin their regiment. The minister has yet to give a proper explanation to my family.

A soldier convicted of a drunk-driving incident involving loss of life is discharged. Two soldiers convicted of murder are allowed to continue serving in their regiment. Some lives are clearly worth less than others, despite the judgment of a court of law.

Yours,  
JEAN MCBRIDE,  
Flat 5b, Maevae House,  
Belfast BT15 2EU.  
January 20.

### Orchestra finances

From Mr Raymond Gubbay

Sir, It is good to note that the Association of British Orchestras (ABO) has finally woken up to what many of us have known for years, that Covent Garden's ever-increasing Arts Council grant has been gained at the expense of orchestras and other performing arts organisations, many of whose finances are, as you report ("Orchestra fail 'unfair Arts Council'", Arts, January 19), in a highly parlous state.

A period of rehabilitation normally follows expiation of past misdeeds. Yet Covent Garden has been allowed to get away with huge accumulated losses for which no public accountability has ever been made. Not only has the Arts Council failed to make any public statement about what has happened to the £20 million additional grant given to the Royal Opera House to tide it over the two-year closure period; it has given the ROH even more public money, although the Opera House has cancelled most of its current year's work.

ABO members and others can only watch in horror whilst Covent Garden's excess continues to cause damage to other rather more modest and better-deserving recipients of government arts funding. Perhaps the orchestras should consider cancelling most of their current seasons, asking their music directors to threaten resignation and encouraging some of their leading players to move en masse to Japan. Similar tactics seem to have worked out well for Covent Garden.

Yours faithfully,  
RAYMOND GUBBAY,  
Raymond Gubbay Limited,  
Knight House,  
29-31 East Barnet Road,  
New Barnet, Hertfordshire EN4 8RN.  
January 19.

### Chambers wit

From Mrs Janet Welford

Sir, I wonder if any of your readers could tell me whether the entry in Chambers (letters, January 12, 18, 19 and 22) under "taghairm" is a joke or is this normal behaviour for people in the Highlands?

Taghairm: n. (in the Scottish Highlands), divination; esp. inspiration sought by lying in a bullock's hide behind a waterfall.

Yours faithfully,  
JANET WELFORD,  
10 Arreton Close, Leicester LE3 2PP.  
January 24.

From Dr Adrian Seville

Sir, What is not in Chambers may also amuse.

In the 1960s, the dictionary had not caught up with "miniskirts". The celebrated crossword compiler Nimmies (D. S. Macnutt) therefore clued the word thus:

"They should not be looked up in chambers"

Yours faithfully,  
ADRIAN SEVILLE,  
Tudeley House, Royal Parade,  
Chislehurst, Kent BR7 6NW.  
January 22.

### Liquid intake

From Mr James Ashley Cooper

Sir, My mother had a great zest for life and much enjoyed giving and going to parties right up to the end of her 94-year life.

In her latter years her doctor advised her to drink more (letters, January 7, 15 and 21) for some complaint. She replied: "But I don't think I can afford to."

Yours,  
JIM A. COOPER,  
Hexton Manor,  
Nr Hitchin, Hertfordshire SG5 3JH.  
Email: 100775.17@compuserve.com  
January 21.

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## OBITUARIES

## ADMIRAL OF THE FLEET LORD LEWIN

Admiral of the Fleet Lord Lewin, KG, GCB, LVO, DSC, Chief of the Defence Staff, 1979-82, died on January 23 aged 78. He was born on November 19, 1920.

As Chief of the Defence Staff in 1982, Admiral of the Fleet Sir Terence Lewin was a vital professional adviser at the daily meetings of Margaret Thatcher's War Cabinet during the series of military operations that resulted in the recovery of the Falkland Islands after the Argentine invasion. His greatest contributions were his clarity of thought, which helped the politicians to formulate their objectives, and his realism. Because he had seen much action at sea in the Second World War, he was a steady influence when the all-too-frequent bad news from the battle zone rattled the less-experienced members of the War Cabinet.

The state of affairs at that time was that for many years British defence policy had forsaken the intention — and increasingly the capability — to conduct an opposed amphibious landing on an enemy-held territory without the support of allies. Recovery of the Falklands would confront all these things at a time of 8,000 miles from home bases, in worsening seasonal weather, opposed by a modern land-based air force, and with a task force that lacked an airborne early warning radar system. These factors were compounded by a series of complex political issues which had to be resolved successfully by the War Cabinet: if the United Kingdom was to retain the support of the Americans — already bruised in their South American relations — and even more importantly, the authority conferred by United Nations resolutions against

a breach of international order. Throughout the twists and turns of these processes, Lewin was able to secure centralised operational control over the conduct of the military campaign and to operate a surprisingly short and uncomplicated link from the Cabinet through the tri-service headquarters at Northwood to the task force. His profound grasp of the tactical and technical issues enabled him to lobby hard for licence to use the task force to the greatest effect. Supported by the military experience of Admiral Sir Michael Havers, he was able authoritatively to advocate the specific rules of engagement which, while allowing for the political niceties, would enable the task force to protect itself and to carry out its mission.

Despite worries about the diversion of resources, Lewin proposed an early retaking of South Georgia as a contribution to graduated pressure on the Argentine junta as well as a useful test of naval competence. His iron nerves were never needed as much as when this initial operation, meeting extreme weather, nearly came to grief among the waters and glaciers of Grytviken. The historical evidence on the rest of the campaign, including Lewin's post-conflict appearances before House of Commons select committees, attests to his wise judgment of such vexed questions as the contradictory Total Exclusion Zone and the sinking of the Argentine cruiser *General Belgrano*.

Terence Thornton Lewin entered the Royal Navy in 1939 from the Judd School at Tonbridge. His first wartime seagoing appointment was as a midshipman in the battleship *Valiant* where he experienced several of the early battles of the Mediterranean campaign. In

January 1942 he joined the Tribal class destroyer *Ashanti* as the gunnery officer and during the next two years as a sub-lieutenant and young lieutenant was mentioned in dispatches three times and awarded a DSC.

In early 1942 *Ashanti* accompanied two Arctic convoys to Murmansk before being diverted to the Mediterranean in August of that year to take part in Operation Pedestal, the hardest-fought of the series of convoys to Malta. Back in the Arctic in September, *Ashanti* was part of a large "fighting escort" of 16 destroyers protecting convoys PQ18 and PQ14 to and from Murmansk. PQ14 contained ships that had survived the tragic scattering and destruction of the previous PQ17 convoy. Of the 40 ships that set out, 13 were sunk by U-boats and massed dive-bombers. The destroyer *Samoli* was damaged and taken in tow by *Ashanti* but after a long, slow and hazardous voyage a violent storm caused *Samoli* suddenly to break up and sink with the loss of 35 of her 80 remaining crew.

During 1943 and up to the D-Day landings in June 1944, *Ashanti* distinguished herself in a number of brisk night actions against German convoys and their escorts in the English Channel. As part of the western covering force during the D-Day campaign, *Ashanti* sank with torpedoes one of four German destroyers which had sailed from Brest to try to disrupt the invasion.

After the war Lewin held a number of seagoing posts. He passed the Staff Course and then commanded the destroyer *Coruna* with distinction. He was always a keen sportsman and represented the Royal Navy at athletics and rugby. He was appointed LVO after a



Lewin: vital role during the Falklands conflict of 1982

tour as second-in-command of the Royal Yacht *Brianna*.

In the rank of captain, he commanded the Dartmouth Training Squadron and subsequently the aircraft carrier *Hermes* in the Indian Ocean at the time of the 1967 Arab-Israeli Six-Day War and the withdrawal from Aden in 1967-68.

This was an arduous period of duty during which high morale and outstanding operational performance on board the aircraft carrier were maintained by Lewin's particular brand of humane leadership. Promoted rear-admiral in 1968, he was successively appointed Assistant Chief of Naval Staff

(Policy), Second-in-Command Far East Fleet and Vice-Chief of Naval Staff before becoming, in 1973, C-in-C Fleet, in 1975 C-in-C Naval Home Command and then, in 1977, First Sea Lord and Chief of Naval Staff. He was appointed KCB in 1973 and GCB in 1976.

The perennial postwar difficulty of matching defence resources to commitments was particularly severe during Lewin's tenure as First Sea Lord, but he was able to initiate a series of "group deployments", intending, as he put it, "to preserve worldwide expertise among our officers and men and the chance to exercise with non-Nato navies, rather than become mesmerised by the Eastern Atlantic". His greatest achievement was to preserve this worldwide capability in spite of a political climate that called for withdrawal from overseas commitments and a reduction to what were seen as Nato essentials.

As Chief of Defence Staff Lewin was heavily involved with the decision to replace the Polaris-based strategic deterrent with the Trident missile system.

His tri-service impartiality was much tested by the review, instituted by the Secretary of State for Defence, John Nott, in 1981, which again tried to match a realistic defence programme to the budget. The review's most contentious strategic proposal was to inflict wholesale reductions on the Navy's surface fleet.

These decisions were fortunately reversed by the Falklands War and the realisation that navies have an inherent flexibility which may not be revealed by accountants' scenario-based analysis.

Nevertheless, Lewin's experience led him to strengthen the position of the Chief of Defence Staff, who thereafter would not be constitutionally bound to offer ministers the consensus opinion of the three service chiefs, but give his own defence advice as he had done during the Falklands conflict. People who worked for and with Terry Lewin uniformly remarked on his acute intellect, his concentration on essentials and his impeccable judgment, but he was also widely known for his great courtesy towards all ranks. He never, as it is all too easy to do in moments of great stress, lost his temper or his self-control. Another great strength was that he always accorded respect and attention to the views of others, irrespective of their ultimate value.

In retirement Lewin brought these qualities to bear on a number of charitable and other works. His great enthusiasm was for the naval history of the 18th century and he was an acknowledged authority on the achievements of Captain James Cook in particular. As a trustee of the National Maritime Museum and subsequently as chairman from 1987, Lewin put his weight behind a successful £12 million English Heritage lottery bid and was instrumental in driving forward a radical modernisation programme affecting not only the use and repair of the buildings but the mounting of major exhibitions all over the world.

Among his other activities, he was president of the Shipwrecked Fishermen and Mariners' Benevolent Society, the George Cross Island Association and a council member of the White Ensign Association. He was an Elder Brother of Trinity House from 1975. Lewin was created a life peer 1982 and appointed KG in 1983.

He is survived by his wife Jane Branch-Evans, whom he married in 1944 when she was serving in the Wrens, and by their two sons and daughter.

## LESLIE FRENCH

Leslie French, actor and director, died on January 21, aged 94. He was born on April 23, 1904.

AMONG audiences who were fortunate enough to see him over a long stage career, which had begun in the Twenties and carried on well into the Seventies, not to speak of the television work he did in the Eighties, Leslie French will be remembered especially for three Shakespearean performances: Puck, Ariel, and Feste. These, at the apex of his career, were considered to be definitive. In particular, his Ariel was, when first seen in 1922, daring in the extreme in its near-nakedness (which drew protests from some quarters) and in the fact that it was the first time a man had played the part since Victorian times. It was a performance which, in 1931, inspired Eric Gill to create his sculpture of Prospero and Ariel for the facade of the newly opened Broadcasting House in Portland Place, a work in which the undraped contours of Ariel were modelled on those of the youthful French.

Critics also praised him for his performance as the Attendant Spirit in *Millions of Comets*. It was a part he played often during the 1930s, since Milton's masque, directed by Robert Atkins, was generally to be found in the repertoire of the Regent's Park Open Air Theatre. Expert as singer and dancer, French trained himself in the Ben Greet touring companies where, from extreme youth, he showed an innate sense of poetry and a quick response to Shakespeare. He was a small, lithe, often impish figure with an uncommon nimbleness of wit and movement. After leaving Greet he often had to waste these qualities on routine musical comedy.

His high moment came during an engagement for a single Old Vic production in the winter of 1929. Then, in partnership with John Gielgud's Oberon, he appeared as Puck of irresistible moonlight mischief, remembered for its absolute fidelity to Shakespeare and for the



French and the BBC sculpture of Ariel which he inspired

spoils-child intonation of "I go, I go: look how I go!" when ordered to be "faster than the wind". Later he had a complete Vic season, and soon afterwards began the Regent's Park period that for several seasons exercised all his gifts to their full. Harcourt Williams wrote of his Puck: "He put the Vic audiences for ever in his pocket."

Leslie French was born at Bromley, Kent. He was a boy singer from the age of ten before joining Ben Greet in 1918 at the age of 14 and remaining with the company for six years. Later, with a sound grounding of Shakespeare behind him, he did some musicals, and was particularly fond of playing Astor, a part he always recalled affectionately, in a musical version of *The Beloved Vagabond* (Duke of York's, 1927).

But it was during his eight months at the Old Vic in 1930-31 that he had a real chance to use his fun, vocal clarity, and, when needed, his pathos and otherworldliness. He was, principally, Feste (at the opening of Sadler's Wells) and Ariel, Eros (in *Antony and Cleopatra*), and — playing to John Gielgud — the Fool in *King Lear*.

After leaving the Old Vic French played in A. P. Herbert's operetta, *Derby Day*, at the Lyric, Hammersmith, and

Royal Court in 1935, and sought earnestly to exorcise *Richard III*.

Much of his later career he occupied in directing Shakespeare at various places, notably in South Africa where he had a considerable impact on the theatre through his founding Maynardville, an open-air theatre in Cape Town, in the 1950s. This arose from an invitation he received from two South African actresses, Celia Sonneberg and Rene Ahrens, who asked him to go there and do an outdoor *The Taming of the Shrew* for them. Shortly before he was due to sail French received a panicky telegram from the pair saying: "Got cold feet. Don't come!" Nothing deterred him, he telegraphed back: "Buy a hot-water bottle" and continued with his passage.

There followed a succession of triumphant summers in Cape Town where, besides Puck, Touchstone and roles normally associated with him, he tackled less likely parts such as Duncan and Shylock. His production of *The Merchant of Venice* broke all box office records for South Africa at that time and he also directed in the open air at Port Elizabeth, and at theatres in Bloemfontein and Welkom, a small Orange Free State town to the north of Bloemfontein, where he opened the Ernest Oppenheimer Theatre in 1968 with a production of *The Tempest*. His casts and audiences at Maynardville were always multicultural and he was the mentor and teacher of many generations of young actors and actresses to whom he imparted his abiding love of Shakespeare.

In Britain his later productions included *Twelfth Night* in the Great Hall at Hampton Court in 1964, with himself as Feste. A thorough professional, he broadcast and acted in films and on television, his last role being as the ailing Noddy in a TV version of Dennis Potter's *The Singing Detective* in 1986. But he really belonged to the theatre and especially to the plays and parts that were for so long associated with his performance of them.

Leslie French was unmarried.

## JOHN GOLDING

John Golding, Labour MP for Newcastle-under-Lyme, 1969-86, died on January 20 aged 67 from complications following a heart operation. He was born on March 9, 1931.

JOHN GOLDING was the largely forgotten sergeant major in Labour's long march back to electoral respectability and power. After the defeat of James Callaghan and Michael Foot, he rallied the right-wing troops in the Commons, recaptured Labour's national executive from the Left, helped to drive the Militant Tendency from the party and was a powerful Kinnock ally in the early attempts at modernisation.

Golding was a short, scruffy man who was happy to receive a newspaper nomination as the worst-dressed MP in the Commons. But while he would have been out of place in today's new Labour salons, he was in his element in the conspiracies of old Labour's Right.

He was master of every trick in the political trade as his enemies — and he had many — were forced to admit. Even when his left-wing critics seemed to be winning in his

constituency, he left the Commons at a time of his choosing to take a key trade union post, with his second wife, Lin, succeeding him as MP for Newcastle-under-Lyme.

John Golding was born in Birmingham, where his father was working as a chef. After primary education he went to Chester Grammar School, which he left at 16 to become a Civil Service clerk. He had joined the Labour Party while at school and he was soon active in the trade union movement.

As a result the Post Office Engineering Union made him a researcher, sent him to the London School of Economics and then appointed him education officer. Although he was sponsored by his union, he failed in several attempts to obtain a seat until a by-election at Newcastle-under-Lyme in 1969. This was caused by the death of Stephen Swinger, regarded by some as a one-time fellow-traveller, but the right-wing Golding had no difficulty in obtaining the nomination in a trade union-dominated selection conference. It was then that he met Linos Lewis, daughter of Ness Edwards, Atlee's Postmaster-General,

who was his campaign driver. Both were married with families, Golding since 1958 to Thelma Gwilym. Eleven years later, in 1960, with both marriages dissolved, they were married.

In the Commons Golding



made unusually rapid progress. Almost at once he was appointed Parliamentary Private Secretary to Eric Varley, the Minister for Technology, and after the Wilson defeat he became an Opposition Whip. Callaghan gave him a ministerial job as Parliamentary Secretary at the Department of Employment, which

was probably the role he most enjoyed.

But he also had great pleasure in his attempts to delay the privatisation of British Telecom, notably with a speech in committee which lasted for eleven hours and 15 minutes — a record which still stands as the rules were changed to prevent any repetition.

In 1986 he left the Commons aged 55, to become general secretary of the new National Communications Union, formed from the merger between British Telecom's clerical and engineering unions. But two years into his five-year contract, a Sunday paper published allegations about his relations with a prostitute. He refused to comment, to avoid embarrassing his wife, but hostile motions were submitted to his annual conference, where he was asked to resign. Golding refused, as snubborn as ever, but eventually took early retirement after an amicable agreement.

He is survived by his second wife who, as Lin Golding, is still the MP for Newcastle-under-Lyme, and by a son of his previous marriage to Thelma Gwilym. Another son of that marriage predeceased him.

## SOLOMON KAUFMAN

Solomon Kaufman, international lawyer, died on Christmas Day aged 90. He was born on May 18, 1908.

SOLOMON KAUFMAN will be remembered particularly as the lawyer in two notable cases. In 1962 he acted for Dr. Robert Soblen, the American spy, and in 1964 he acted for the author Leon Uris.

Soblen was an American citizen convicted of spying for the Russians and sentenced to life imprisonment. He fled to Israel with an invalid passport, only to be arrested in Tel Aviv. Sent back to the United States, he slashed his wrists on the flight over London, forcing the plane to land at Heathrow. There he was refused official entry at immigration, but managed to instruct Kaufman

who, with Lord Elwyn-Jones, applied to a judge in St John's Wood at midnight for a writ of *habeas corpus*, which was granted.

At the High Court, Soblen was refused leave to remain in England. He went to the Court of Appeal, but again lost. While a further appeal was being considered, he committed suicide before he could be deported to America. The case is famous as a deportation case which was a disguised extradition case. In 1964 Kaufman acted for the popular author Leon Uris in defending a libel action brought by Dr. Wladyslaw Dering. The case became known as "Auschwitz in England". Dering complained of a sentence in Uris's bestselling novel about Israel, *Exodus*,

which stated that he had performed 17,000 operations in Auschwitz without anaesthetic, mainly on young women used as guinea-pigs.

The case was unique in that the Polish Government was persuaded to bring to London the Auschwitz hospital operation register, in which were recorded 130 desisted operations for castration, sterilisation, ovariectomy and so on. The register was taken to court every day and returned to the Polish Embassy at night. The register clinched the case. Dr. Dering was awarded one halfpenny damages and had to pay his own costs.

Dering had come to Britain after the war, then worked as a doctor in Somalia before returning to run a practice in Harley Street.

Solomon Kaufman was born in London and educated at the Grocers' School and at University College London, Montpellier, Bonn and Moscow Universities. He qualified as a solicitor in 1935 and founded Kaufman and Seigel in the late 1930s.

In the 1940s he acted for the provisional Israeli government before the end of the Palestinian Mandate. He worked for the same firm until the late 1960s, when he became a consultant to Sackler and Partners.

Kaufman retired in 1970, and later took a doctorate in Italian neo-classical stage design at Essex University. He married Jennie Lubin in 1936; she died last July. He is survived by a son and a daughter.

## Latest wills

Lady Ingrow, of Kelghley, West Yorkshire, left estate valued at £1,081,261 net.

She left £1,000 to the Royal British Legion and the Royal Cancer Society, £100 to RNIB, the Polish Soldiers' Trust Society and the Air Bridge Association.

Lady (Cyril) Clarke, of West Kirby, Wirral, Merseyside, left estate valued at £510,085 net.

Lady (Owain) Jenkins, of Penworth, West Sussex, left estate valued at £785,086 net.

She left £1,000 to the PDSA and Camphill Village Trust.

Lady Barnard, of Cranborne, Dorset, left estate valued at £709,218 net.

Lady Margaret Kathleen Dunn, widow of Sir Francis Vivian Dunn, of Haywards Heath, East Sussex, left estate valued at £1,044,042 net.

She left £1,000 to the Foundation Fund of the Methodist Church.

She left £1,000 to the Barmister's Benevolent Association and to the National Trust.

Catherine Ness Quested, of Saxehead, Suffolk, left estate valued at £5,767,078 net.

Harry Stanley Smith, of Long Hanborough, Witney, Oxfordshire, left estate valued at £2,035,538 net.

She left £1,000 to All Saints Church, Minstead, Cadnam, Hampshire; £400 each to RNLI, RSPCA and PDSA.

Margaret Frances Charlish, of Windsor, Berkshire, left estate valued at £2,187,697 net.

She left £500 each to Chesham House, San Ryder House, Cancer Research Campaign, Marie Curie Memorial Foundation, Ely Cathedral and Prince Charles Eye Unit.

Margaret Elsie Armstrong, of Ipswich, left estate valued at £1,022,262 net.

She left £3,000 each to Voluntary and Christian Service, Christchurch, Tackley Street United Reformed Church, the Samaritans and the Westminster Pastoral Foundation; £2,000 each to British Council of Churches, St Raphael Club, Ipswich, the World Church Mission Department and the Ipswich and Suffolk Mission to the Deaf and Dumb.

Elsie Muriel Batchelor, of Cheltenham, Gloucestershire, left estate valued at £1,486,065 net.

Ronald Patrick Clancy, of Bourne End, Buckinghamshire, left estate valued at £1,048,919 net.

John Kenneth Frost, of Henley-on-Thames, Oxfordshire, left estate valued at £1,263,738 net.

Ruth Margaret Garside, of Swindon Village, Cheltenham, Gloucestershire, left estate valued at £1,582,321 net.

Avriana Grace Gill, of Purley, Surrey, left estate valued at £1,461,092 net.

Joan Frances Mills, of Compton Greenfield, Easter Compton, Bristol, left estate valued at £1,260,636 net.

She left £5,000 each to Imperial Cancer Research Fund, Parkinson's Disease Society, Blue Cross, PDSA and the Royal UK Beneficent Association.

Peter Moore, of Chesham, Buckinghamshire, left estate valued at £1,812,926 net.

Philip Glynn Morris, of Gilwern, Aberystwyth, left estate valued at £1,460,036 net.

Robert Colin Taylor, of London SW1, left estate valued at £1,356,289 net.

He left £5,000 to Sidmouth Denkey Sanctuary, and the balance of his estate to Imperial Cancer Research Fund, RSPCA, PHAB, and Christian Aid.

Daniel Lyons, of Charlton, London SE7, left estate valued at £1,152,216 net.

## THE RUSSIAN OUTBREAK

ST PETERSBURG, JAN. 24 The night passed quietly, and this morning there were no signs of excitement, although thousands of idle workmen are strolling about with their hands in their pockets.

The electric works are now manned by military electricians, and the supply was switched on again at half-past 7 this morning. Nobody is reassured by the temporary lull. Many men are sending their wives and children to Helsingfors and other places of safety.

At 4 o'clock this afternoon, a troop of Cossacks, in dispersing a crowd of working men, drew their swords and wounded several persons.

In consideration of the disturbed state of the city, the officials and employers at the Ministries have been informed that they need not present themselves for duty if they think there is any danger. Consequently many offices are partly empty.

The chemists' assistants have joined the strikers. Work has been suspended at the central station of the Belgian Electrical Company, which furnishes most of the electric light supply of the capital. The electric light

## ON THIS DAY

January 25, 1905

The year opened disastrously for Russia with the surrender of its fleet to the Japanese at Port Arthur. On the 22nd — "Bloody Sunday" — troops fired on workers in St Petersburg. The unrest continued, and culminated in October when workers forced the first soviet.

has gone out in the fashionable Bolshaisa Moskvaia thoroughfare.

The resources of the strikers are very limited. Only the Narva section of the Workmen's Club, which is the next in importance to the section attached to the Putiloff Works, has as large a sum as 15,000 roubles (£1,500) at its disposal. The sums of money paid to the needy as relief are extremely small. The strike organisation continues to collect subscriptions for the wounded.

So far, no workmen have been arrested, and the leaders also are still at liberty. A man named Wassilief, who accompanied Father Gapon in the procession on Sunday as a representative of a section of the Workmen's Club, was killed, and three of the priest's assistants, named Uschhoff, Titonoff, and Inosentzoff, were wounded, the last mentioned seriously.

Father Gapon is in hiding. Proclamations, the genuineness of which is, however, doubtful, are being issued in his name. . . .

The following official statement is issued today: "During the day of January 23 there was no collision between the riotous crowd and the troops. The detachments of soldiers had no need to use their arms, as the crowd dispersed on the appearance of the troops. During the day an attempt was made to attack the Gostiny Dvor market, but was repulsed. The workmen of the electric stations joined the strike in the evening, then some groups, taking advantage of the darkness, began to break the windows of the shops in the different streets; but order was everywhere quickly restored."

"No one was killed or wounded during January 23. The exact number of killed in January 22 is 96, and of wounded 333. 53 of whom have registered at the ambulance stations."



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UNDER THE SKIN OF SPORT



### FIGHTING TALK

Cricket sinks to a new low Down Under

PAGE 27

### RUNNING RIOT

London Irish finding their feet at last

PAGE 36

### PLUS

Why Samaranch should go

PAGE 35



### SWISS MISS

Wayermann gives Radcliffe a run for her money

PAGE 40



# TIMES SPORT

15 PAGES

MONDAY JANUARY 25 1999

FULHAM LAND PLUM OLD TRAFFORD TIE



## Keegan and Ferguson on FA Cup collision course

Matt Dickinson looks forward to a renewal of hostilities at the Theatre of Dreams after a dramatic weekend of knockout fare

MANCHESTER United versus Fulham; Alex Ferguson against Kevin Keegan. The fifth round of the FA Cup, drawn yesterday, will make unmissable television — and this is just the managers' pre-match interviews.

As manager of Newcastle United, Keegan was embroiled in some epic personal confrontations with Ferguson, reaching a climax in a famous on-screen outburst against his counterpart. Now the pair can renew old rivalries after a draw that could scarcely have been bettered for romance and intrigue. It will not be long before the psychological bullets are being fired between Craven Cottage and Old Trafford.

How fitting, as well, that the teams involved in the most dramatic games of the weekend should be thrown together. Fulham pulled off the shock of the fourth round when they won 2-0 against Aston Villa on Saturday, their triumph as deserved as it was startling.

Keegan has a five-year plan to lift Fulham from the Nationwide League second division into the FA Cup Premier-ship and the trip to Old Trafford should provide a good measure of how far his club has travelled already on its extravagantly funded rise.

Mohamed Al Fayed, the chairman, is the man bank-rolling Fulham in the hope that he will one day be able to mix with the elite and an afternoon in the Old Trafford directors' box may whet his appetite even more. But Fulham will come up against the country's leading strikers in Andy

Cole and Dwight Yorke and the prospect appears to be a daunting one. "I shouldn't think we will cope at all," Simon Morgan, one of the Fulham goalkeepers at Villa Park, said, "but it will be a great day out. The manager won't let us dream about United and Old Trafford. We have got an important game at home to Oldham on Tuesday and we want to get back on top of the league. That is our priority and we will just want a good time out in Manchester."

They could so easily have been playing Liverpool, though, after a stirring game at Old Trafford yesterday in which United scored in the 88th minute and then injury time to win 2-1. Trailing to Michael Owen's header after just three minutes, they had to dig deep into their reserves as Yorke and Ole Gunnar Solskjaer, with almost his first

touch, finally ended Liverpool's valiant resistance. "We are not really interested in the FA Cup," Ferguson said sarcastically, in response to those who claim that his side has other priorities. "You can't believe football sometimes, but I believe we deserved what we got because we never gave up. Liverpool defended fantastically and will be gutted, quite rightly, but our sheer determination got us through."

That is the beauty of the FA Cup.

United's relief was palpable. Gary Neville, a Manchester boy who had talked before the match of his dread of defeat to Liverpool, could not contain his delight, whirling around the visiting supporters after Solskjaer's late strike.

The Liverpool players, meanwhile, dropped to the turf, some appearing to depart with tears in their eyes at having allowed victory to slip away so late in the game. "I told them they have nothing to be ashamed of," Gerard Houllier, the Liverpool manager, said. "I am proud of them."

"Today, we matched Manchester United and a couple of months ago I do not think we would have been capable of a

performance like that. We have to keep improving and moving closer to them in standard, but I know that one day we will beat them."

Bookings for Roy Keane and Paul Scholes ensured that they will be absent against Fulham next month. "It was never dirty," Ferguson said. "Not like when Jimmy Case, Graeme Souness, Whiteside and Robbo were going at each other a few years back. You had to make sure your mummy was sitting beside you then, because you couldn't watch it alone. Today, they just got stuck in."

Urged on by the ebullient Keegan, Fulham will be doing the same. It would be one of the great upsets in recent years were they to repeat their feat of Saturday, but how Keegan — to borrow one of his own phrases — would love it.

Cup reports, pages 28-30  
Programme notes, page 35



Harkness, the Liverpool defender, collapses to the turf at the final whistle

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Sri Lanka may go home early as bowling action of Muralitharan is put back in the spotlight

# Ranatunga deserves censure for shameful behaviour

There were ugly scenes on and off the field at Adelaide on Saturday.

Michael Henderson gives his verdict

THE events at the Adelaide Oval on Saturday, when Sri Lanka beat England by one wicket in the final over of an extraordinary match, were by turns predictable, eventful and shameful. It was a marvellous win for Sri Lanka, but a grim day for England, and a grim day for Muralitharan, their off-spinner, who was charged with throwing Arjuna Ranatunga, the abusive captain, will face a disciplinary hearing in Adelaide tomorrow, charged with misconduct.

Ranatunga, who will appear before Peter van der Merwe, the match referee, was cited for his overall performance on a day that called for leadership and got instead childish tantrums and unpredictability, the "bullying" of umpires.

Unless Van der Merwe comes down strongly against Ranatunga, the International Cricket Council (ICC) will be seen to have ducked the issue. If he suspends him, as he should, for Ranatunga's conduct in contravention of five of the nine points laid out in the ICC regulations drawn up last year, Sri Lanka may well decide to up sticks and go home.

For all the excitement of a game that produced more than 600 runs and a superb hundred in each innings, it will go down as the day that Muralitharan was again called for throwing the way in which Muralitharan was called to match his players off the field and for the unbecoming manner in which players on both sides behaved.

It is entirely right that Ranatunga should be called to account, because his side's gamesmanship corrupted the day and they take their cue from him. Nor did the playing end there. The Sri Lankans wanted the game to be called off between innings because they claimed the light was not good enough — even though it was.

Although nobody in the England camp will speak publicly about Ranatunga's behaviour,

the private view is that he is a menace. On Saturday he, like the umpire to stand directly over the stumps, so he could not properly see the bowler's arm action. Emerson simply did as he was told.

After that, nobody emerged with high marks for good behaviour. As the match came to boiling-point, with Sri Lanka chasing 303 for victory, things got nasty.

Mahamama, obstructed Gough in his follow-through and Gough responded later in the over by lowering his head towards the batsman, an unpleasant gesture if not an outright statement of aggression.

Emerson was culpable, because he had surrendered his control of the match earlier in the day. When Muralitharan switched ends shortly after the stoppage, Ranatunga instructed the umpire to stand directly over the stumps, so he could not properly see the bowler's arm action. Emerson simply did as he was told.

Emerson was culpable because he had surrendered his control earlier.

There was also a general feeling of enmity between the players.

The main victim of this poisonous atmosphere was Emerson. Quite apart from the rights and wrongs of calling Muralitharan, he presided over a seven-ball over from Gough, failed to refer a run-out to the third umpire when Jayawardene, 33 at the time, was short of the line, signalled a four-hit from Jayasuriya as six and, by missing Mahamama's obstruction of Gough, he could not uphold England's appeal for dismissal.

Given the closeness of the outcome, any one of these mis-



Muralitharan, bowling at the end of Emerson, the umpire who no-balled him from square leg, was at the centre of the controversy against England at the Adelaide Oval on Saturday

## SCOREBOARD AND DETAILS

Sri Lanka won toss

England

N V Knight rose out (Muralitharan) ... 45

A J Stewart c Ranatunga b Vase ... 36

G A Hick not out ... 126

N H Hogg not out ... 78

Total (118 balls, 4 overs, 5 hours) ... 126

England (10 wickets, 4 overs, 5 hours) ... 126

Sri Lanka (10 wickets, 4 overs, 5 hours) ... 126

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## Graveney holds talks to cool the tempers

DAVID GRAVENEY, the England tour manager, responded to the unpleasantness during the ill-tempered game with Sri Lanka on Saturday by meeting Peter van der Merwe, the match referee, yesterday.

Along with Alec Stewart and David Lloyd, the captain and coach, Graveney issued a statement, cleared by the England and Wales Cricket Board (ECB) in London, which emphasised the desire to return to healthy competition.

The England representatives accepted the referee's concern about the general atmosphere and Graveney has reminded Stewart that, as captain, he is responsible for his team's conduct. But he admitted that there had been no contact with the Sri Lanka team, or any of its representatives.

There was a closing of ranks around Stewart, who barged into Mahamama on Saturday evening but who will not be carried by Van der Merwe today. According to Stewart, it was "the least enjoyable game of cricket I have ever been involved in — and I know that is a view shared by all those in my team".

Graveney, a good-natured man of easy charm and gentle humour, makes an ideal diplomat in such trying circumstances, but even he looked a bit chastened yesterday, so

FROM MICHAEL HENDERSON IN ADELAIDE

poor were relations between the teams the day before. He spent much of his time on the phone to Tim Lamb, the ECB chief executive, briefing him on the ways and wherefores of the match.

"I tried to explain the circumstances and the mood in which the game was played," he said. "We were perceived as being sucked into incidents and, as cricketers, you have to concentrate on the game. It was the most extraordinary match I have witnessed, as a player or as somebody who simply observes the game."

Of Stewart, he said: "I have stressed to Alec the responsibilities he has under Law 42.1, namely that the captain is responsible at all times for ensuring play is conducted within the spirit of the game as well as within the Laws."

"We all agree that events during Saturday's match have no place on a cricket field. We have accepted that and I have given clear instructions to Alec and all the players to ensure we are not involved in anything similar again. From our point of view, the matter is now closed and we are all keen to put the match behind us."

Stewart said: "I am fully aware of and accept my responsibilities as England captain and will be doing everything possible to make sure that myself and my team conduct ourselves in an appropriate fashion in the remaining matches in the series and beyond."

It was a shame that the many controversial incidents clouded the more attractive aspects of a match that Sri Lanka won after a terrific run chase. There were two balls left when Muralitharan, of all people, clouted the winning run.

They could not have won without a superb hundred by Jayawardene, building on the early work of Jayasuriya, who had walloped a scintillating 34-ball half-century. There were also useful contributions from Ranatunga and Chandana as Sri Lanka overcame a poor start of eight for two.

From England's point of view, it was another day of glory for Hick, who followed his hundred against Australia in Sydney with 126 not out. He made 154 unbeaten runs with Fairbrother for the fourth wicket, 53 coming off the last three overs with an incredible display of judicious hitting.

Hick struck four sixes, all to leg, with big swings of the bat. Fairbrother finished on 78 and proceeded to hold three catches and effect a run-out.

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## McGrath in control

GLENN MCGRATH, the seam bowler, took five wickets as Australia inflicted an 80-run defeat on Sri Lanka in the Carlton and United series at Adelaide yesterday.

Australia were all out for 270 from the last ball of their 50 overs, but went on to dismiss the World Cup-holders for 190 in 41.4 overs. McGrath, pictured right, took five for 40 to finish with his best one-day international figures.

The win left Australia in second place in the triangular series, two points behind England, with Sri Lanka bottom, despite their controversial win over England on Saturday.

The visitors were 30 for three in the seventh over when Arjuna Ranatunga, the Sri Lanka captain, was booted on to the ground as he came into bat, one day after he had led his team to the pitch against England. Ranatunga faced two deliveries before McGrath struck again and he was caught for a duck.



## Time ticks for England

FROM THRASY PETROPOULOS IN HARARE

that was finally possible against Mashonaland brought England A victory by 73 runs, an unexpectedly comfortable margin after the tourists had been dismissed for 159.

The province's much-vaunted Test-class batting line-up could manage only a meagre 86 runs between them, plainly unable to come to terms with an unpredictable pitch and tight, penetrative bowling from Jason Levy, Steve Harrison and Graeme

Swann, who each took two wickets.

Encouraging though it may have been, the tourists will be only too well aware that two completed one-day matches are hardly ideal preparation for the tougher challenges to come.

"Everything we've done so far has unfortunately been one-day cricket, not the preparation for a Test match in ten

days' time," John Emburey, the tour coach, said. "But the four-day game in Kwekwe will be a big game and you can more or less say that the Test team will come from the majority of those players."

It will be difficult for the guys who don't play in Kwekwe but play in that first Test match. Because we are going to give everyone a game in one of the two Tests, there are going to be a few players who are not going to get any cricket between now and the second Test. Some of them won't have played any cricket before that anyway, so their first first-class innings is going to be in a Test match."

Emburey also confirmed that no replacement has been called for Paul Hutchinson, the Yorkshire left-arm seamer, who is sidelined for at least two weeks after damaging his lower back bowling in the nets.

The players were given the entire day off yesterday, a rare luxury in a congested itinerary. One group chartered an aeroplane to visit the Victoria Falls and the rest opted for a day's fishing.

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Embure



Poom, the Derby goalkeeper, takes the ball off Alsop's head

Swansea City.....0  
Derby County.....1

By ROB HUGHES

IN 135 years, the FA Cup has seen and heard it all, but down at the Vetch Field on Saturday, the ad hoc grandstand male voice choir was something else — necks the size of Mike Tyson, beer-bellies overhanging the seats in front of them, repertoire more Barney Army than Elsteddoff. "Stand up if you hate Cardiff," was the recurring refrain, although it was when Cyril the Swan came to salute them that they really hit the high notes.

Grown men pouring out their undying affection for a cartoon caricature bird... strange times indeed on the Gower Coast. And try though the stewards did to persuade them to be seated, it became a cause as lost as the Cup-tie when the mass of the crowd, from elderly to very young, stood and sang and swayed with the hard core.

## Carbonari silences Welsh choir

If anything was more incessant, it was the wind and rain blowing off the sea, turning the pitch into a bog. If anything demanded more energy, it was wave after remorseless wave of Swansea City advances. And if anything was more certain, it was that a foreigner would steal the day for Derby County.

The visitors had what West Ham United lacked on this pitch ten days previously: the heart and discipline to soak up Swansea's passion and break, just once but decisively, to score. One exquisite act, defying the queasy surface, showed what separates the FA Cup from the Premiership. The rest was Argentinian, composed and transcendent, an otherwise equal struggle.

For 80 minutes, Horacio Carbonari, who cost Derby £2.7 million from Rosario Central,

had defended sometimes close to the end of his tether against rain splashing into his face and Julian Alsop, the target of every aerial Swansea raid. But in the 81st, up for a free kick from Lee Carsley, the slender, angular Argentinian controlled the moving ball on the left side of the Swansea penalty box.

"We needed a moment of magic to finish a dour contest," Jim Smith, the Derby manager, said. "Carbonari gave us that. A couple of dummies, a little chip and he picks out Kevin Harper at the far post. I have to admit, I was concerned we could go the same way as West Ham."

Smith's praise is too short, his description too crisp. What Carbonari did was to demonstrate, against opponents who had given their all and were as much mentally as

physically tired, the value of being comfortable with the ball at both feet. He shimmied to the left, stopped, checked. He shimmied to the right, and stopped again — and, when enough defenders were drawn to him, he guided the ball deftly to Harper, a substitute full of pace and running, to head the solitary goal of a gloomy afternoon.

The Vetch Field choir went quiet. But gloom? There is no likelihood of it lasting with John Hollins around. The Swansea manager, the twelfth to be appointed since the extraordinary reign of John Toshack, Hollins exudes a boyish joy at being back in full-time football after almost a decade away, relish even at the shoe-string lower end of the league.

As a Chelsea player, he radiated enthusiasm as a manager, he is essentially a teacher raising the

standards of his players. "The dream has gone," he said on Saturday night. "Now it's back to reality. After three games against Premiership teams, we lost by one goal against Italians, Germans, you name it."

"Of course, they're downhearted in the dressing-room, because it hurts, but we'll pick them up and see if they can translate the cup form into the league. I was thrilled watching Stuart Roberts, a lad barely out of school, run at international players on the wing. I had two players, Kris O'Leary and Damien Lacey, with almost no experience, finding the pace of that match."

"OK, if we want to get up, we'll have to work on things like seeing if we can add a bit of finesse to big Julian Alsop. We'll be in on Monday, starting to do that."

Derby had one chance and made it count. Swansea lacked the player whose goal finished off West Ham. Martin Thomas, was in a Swindon hospital where, on Saturday, he had three operations — on a cartilage and ligament in the knee and a hernia in the stomach, the legacy of persevering through pain for 85 minutes against West Ham.

"He sent a fax," Hollins said, "and the lads wanted to run their hearts out for Martin today." They did that, it was not enough, yet Saturday was awash with hope, from a manager in revival to schoolboys, cypriots from nine years upwards, who want to be swans. The ground was awash with them and the Cup, a passing glory, came and went without harming the dream.

SWANSEA CITY (4-4-2): R. Freeman — S. Jones, K. O'Leary, M. Roberts, M. Howard — S. Roberts, D. Lacey, R. O'Leary, J. Collins (sub), S. Appleby, S. Smith — J. Alsop, S. Williams. DERBY COUNTY (2-1-2): P. Poom — M. Carter, S. Stacey — J. Lacey, L. Roberts (sub), R. Kozak, S. T. Collins, A. Donaghy — F. Baines (capt), G. 69 — D. Baines (sub), K. Harper, M. G. Sturges. Referee: G. Barber.

FA Cup: Keegan's men go to top of class with stirring victory as Collymore sits it out

## Fulham come up with the right answers

Aston Villa.....0  
Fulham.....2

By ALYSON RUDD

THERE are some pupils who skip a grade at school because they are bright and need to be challenged. At present, Fulham are just too clever for the Nationwide League second division and, while they sometimes plod with disinterest through it, they usually come top in all the tests.

On Saturday, though, Kevin Keegan, the club's special tutor and so much more than his title of chief operating officer suggests, said: "We were asked different questions today." Fulham relished answering them.

So far this season, Fulham have beaten Southampton home and away in the two cup competitions. Fulham were slightly outclassed by Liverpool, but not embarrassed, and now they have won 2-0 at Villa Park. It is customary to ask, when a first-division side takes on an FA Cup Premier club, whether that team could cope in the upper echelons. But is rare indeed to be wondering the same about one from the second division.

Against Villa, it was Fulham who entertained, excelled, looked comfortable. Keegan said that Villa supporters approached him to tell him that no other team had played so well at Villa Park this season. Indeed, this was the first time that John Gregory's team had been prevented from scoring at home. Even the dazzling Cella, Vigo, who dispatched both Villa and Liverpool from the UEFA Cup, could not stop Stan Collymore snatching a goal.

Ah, Stan. All afternoon, the cry could be heard: "Where is Stan?" Slowly, the truth



Agony and ecstasy: Gregory, left, has a look of disbelief as Hayward's free kick takes a wicked deflection for the second goal at Villa Park to leave Keegan celebrating his club's finest victory for many a year



emerged. It was like one of those episodes of *Cracker*, where a strong-willed witness, intent on silence, is persuaded to part with little gems of insight. Gregory wanted to leave the issue at "no comment", but in the end he revealed that the controversial striker had been named as a substitute, that Gregory had been forced to alter the names on the bench and that Collymore was not injured.

A picture that emerged of Collymore, fully expecting to be Joachim's striking partner, discovering that he could not make the team even with Dion

Dublin injured and refusing to play at all.

Gregory said that Collymore still has a future at the club — "he's under contract" — but that he would not be part of his plans for Villa's next match, at St James' Park.

It is possible to view the incident as a defining moment in Collymore's chequered career. He will now either part company with the club he loved as a boy and which was supposed to soothe his tortured soul, or he will face up to the fact that he needs to improve his form before he can count himself on a par with Joachim and Dub-

lin. Against Fulham, even a partially effective Collymore would have been useful. Merson partnered Joachim and displayed some neat touches in the first half, but, by the second period, he was looking tired and clumsy. And there is a sense in playing both Hendrie and Merson, who have similar styles and serve a similar function, when Hendrie is presently the fitter and more effective of the pair?

The importance of a good target man was illustrated by Geoff Horsfield, of Fulham. The former bricklayer was completely in charge whenever

he had his back to goal and, as Ehiogu might, he could not prevent Horsfield laying off the ball. One particularly perceptive reverse pass put Collins free inside the penalty area, but he mistimed his strike.

Although both goals came from set-pieces, Simon Morgan with a ruthless header from a corner by Steve Hayward and Hayward with a free kick that was deflected past Oakes by Pechisoldo, there was a confident fluidity to the visitors' attacking play. Keegan promised that they would not employ negative tactics, but Fulham were inventive without being reckless and often left Pechisoldo to weave forward without "support", mindful of the danger that Villa pose on the counter-attack.

Today, Philippe Albert begins his loan at Craven Cottage. He will be lucky to see much first-team action, for the Fulham defence was outstanding. On the rare occasions that Joachim did manage to slip his marker, Malik Taylor, in goal, was alert.

Gregory was adamant that nothing had affected his team's morale before kick-off and he praised the initial

efforts of the Villa side. Surely, though, the sudden departure of Collymore had some impact.

Most of the home side's passing was, at best, half-hearted and motivation seemed to be a fleeting visitor. Nor was the controversy a one-off mishap. Merson had only just made up his mind to leave the club, after his manager had refused to let him go, and the player's rehabilitation and a clutch of players have found the transition from no-hopers to title-chasers problematic, for suddenly, it has made competition for places an issue. Gregory

has shown that patience is rewarded if harnessed to ability, with Joachim the prime example of a player who whined a little, then waited, then scored, then became a certainty.

For all Collymore's transgressions, his comments last week were relatively mild — he simply wants first-team football. The real issue is whether he is good enough to be given any.

ASTON VILLA (4-4-2): M. Oakes — U. Ehiogu, G. Southgate, G. Barry — S. Williams, R. Johnson, L. Hendrie, A. Wright (sub), D. Vassell, S. Smith — P. Merson, J. Joachim, S. Morgan, C. Coleman — S. Taylor, M. Collins, P. Merson, S. Hayward, R. Baines — P. Pechisoldo (capt), M. Smith, R. G. Husted. Referee: D. Elmer.

## Everton fired by sense of injustice

Everton.....1  
Ipswich Town.....0

By KEVIN MCCARRA

AS FA Cup engagements go, this was not an affair of flashing swords and daring raids so much as a case of trench warfare. Each sliver of territory was gained ardently and there were heavy losses as Everton edged their way to victory. Casualties included Marco Materazzi, the Everton centre half, who was sent off, and the good humour of the home supporters.

At full-time, a phalanx of stewards surrounded Mike Riley as he left the field. It looked like the entourage that leads a boxer to the ring, but they were actually trying to spare the official a punch-up. At least he antagonises on an equal opportunity basis. In stoppage time, Ipswich Town believed that they had equalised with a drive from Fabian Wilnis, but Riley had seen a foul on David Unsworth by Richard Naylor in the build-up.

One might be grateful to the referee for turning an inconsequential march into an impassioned conflict, were it not for the fact that he exceeded his brief by doing so. With Everton 1-0 ahead, David Johnson and Materazzi, in the 48th minute, jostled one another while pursuing the ball and the Ipswich forward reacted by pushing his marker to the ground. Riley showed each man a yellow card and the Italian, who had been booked already, was thus dismissed.

Although Ipswich's prospects had improved, Everton turned the incident into a cause and defended as if each tackle was a righteous blow against injustice. The heedless challenges of Unsworth were alarming, particularly when conducted inside his own penalty area, but the indignant resistance

worked. The visitors rarely looked like scoring and George Burley, their manager, may have been recognising his team's inferiority when he made only a mild complaint over the referee's disinclination to award an equaliser.

The most intemperate act of all by the inflated Unsworth came when he barged Don Hutchinson aside and insisted on attempting a pass himself. Increasingly, Everton are happy to leave distribution to the midfield player. At the start of the season, Hutchinson seemed to be a candidate for redundancy at Goodison Park, but the strength, leadership and discernment that he has shown since brought him the captaincy after Duncan Ferguson was sold. After 38 minutes, he chased to keep the ball in play, before delivering the cross that John O'Shea headed against the post. It bounced back into the path of Nick Barmby, who recorded his first goal at Goodison since October 1997. It was Hutchinson, too, whose exquisite timing released Michael Branch with ten minutes remaining, but the substitute fired wide.

Had it not been for Michael Ball's mistake before the ordering-off of Materazzi, when he hit the top of the crossbar from six yards, Everton would have won comfortably. They were without eight players and Alex Cleland, after tearing a calf muscle, will be out for six weeks, but the team's spirit has not been diminished. As in the last round, away to Bristol City, Everton were supposed to be vulnerable. On each occasion, they have prevailed. The vultures must look elsewhere for carcasses.

EVERTON (3-5-2): T. Maher — A. Cleland (sub), J. O'Shea, S. Brown, M. Hutchinson, D. Unsworth — M. Ward, A. Grant, D. Hutchinson, M. Barmby, M. Ball — D. Cadzow, R. H. M. Smith, J. O'Shea. IPSWICH TOWN (3-5-2): P. Smith — K. Thomas, A. Tarrant, S. A. Mowbray, M. Wilnis — F. Wilnis, A. G. M. Smith, M. Smith, T. Unsworth, M. M. Smith, J. Chapman — M. Pechisoldo (sub), R. Naylor, M. Oakes. Referee: M. Pacey.

## Newcastle ride the storm

Newcastle United.....3  
Bradford City.....0

By GEORGE CAULKIN

THE charm offensive began over diet cola and canapés in a restaurant adjacent to Durham County Cricket Club at the end of last week. Rudul Guliti and members of the written media brought together to lay out the ground-rules for a more harmonious relationship, to lower the barriers that have built up between Newcastle United and its supporters.

Although it was an informal, off-the-record engagement, there was little that Guliti had not discussed in public before. It was imperative that the club should look forward, he said, that the agenda should not be set by a few Luddite malcontents. Besides, he was happy. The future looks good. Everybody smiled, shook hands and said what a worthwhile exercise the evening had been.

It is in keeping with the spirit of this new concordat that we begin today with the good news from St James' Park, Newcastle, having overcome Bradford City's genuine and tenacious challenge, are for the second consecutive season, in the last 16 of the FA Cup. Even better, they scored three times, with Alan Shearer — far from clinging



Shearer effective

to the memory of his career — looking particularly tart and effective. It was Shearer (alleged training ground bust-up, who initiated his side's first goal, providing a neat flick for Temuri Ketsbaia (unlikely to have his work permit renewed). The Georgian's shot was blocked, but Dietmar Hamann (unsettled on Tyneside, thrown out of a nightclub, well-placed to prod home the rebound).

The Newcastle manager's pep talk was on Thursday, but this is Monday, time aplenty for the drip, drip of malevolence that seeps from the club's every pore to reform into a torrent. Wherever you look, there is unrest: a dressing-

room riven at the hinges, an uncertain ownership and a manager unable to weld the disparate parties. It is not all Guliti's fault, but, in certain areas, his reasoning has been questionable. With comments such as "relegation team", the Dutchman has not endeared himself to all his players.

It may seem unfair that the win on Saturday should be placed in this context, but such is the truth. On two occasions, Shearer, who scored a well-worked goal, brushed past his manager without making eye contact, while Ketsbaia's flattering intervention prompted only gloomy introspection. "When I make a mistake, I seem to be out of the team for months," he said. If Stuart McCall had not planned a header against a post with the score at 1-0, it might have been worse, but, as things stand, the tension at Newcastle is becoming almost intolerable.

Something has to give. Someone has to leave. Kevin Keegan, fresh from Fulham's success, his legend undimmed, is back on Tyneside for Peter Beardsley's testimonial in two days. And now for the bad news.

NEWCASTLE UNITED (4-4-2): S. Givens — A. Grant, L. Thompson, M. Barmby, D. Dorr — P. Shearer (sub), S. Givens, A. Grant, M. Hamann, G. Speed, G. Bardsley — A. Shearer, T. Ketsbaia. BRADFORD CITY (4-4-2): G. Walsh — S. Wright (sub), I. Rankin, G. M. Moore, A. Wainwright, P. Jacobs — J. Lawrence, S. McCall, G. Whalley, P. Baggie — J. Brown, L. Mills. Referee: P. Darke.

## Coventry counter loss of Boateng

Leicester City.....0  
Coventry City.....3

By KERRI FIFE

IT IS four years to the day since a referee, with a simple flourish of a little red card at a combustible Frenchman, set in motion the chain of events that moved football from the back pages to the front (plus pages 2, 3, 4, 5, 12-18 inclusive and a souvenir supplement) and the leading "bong" on *News at Ten*. At Filbert Street on Saturday, the anniversary was marked in eerily contentious circumstances.

Memories were jogged when the PA announcer reminded Leicester City supporters of one of their favourite old chants: "Who needs Cantona when you've got O'monodroty?" On the pitch, Richard Shaw — once of Crystal Palace and the first person to feel the sharpness of Cantona's studs that momentous night at Selhurst Park — was doing his best to marshal the Coventry City defence. And then Alan Wilkie — yes, the very same official — sent off another, albeit less celebrated, Premiership import, George Boateng. Spooky, or what?

Fortunately, Boateng, Shaw's Dutch team-mate, did not feel compelled to launch himself clogs first into the crowd, although he had some reason to feel a trifle miffed. His dismissal was the pivotal moment on an increasingly bizarre afternoon in which Coventry, according to the scoreline, breezed into the fifth round of the FA Cup. In truth, they were blown there by several powerful gusts of good fortune.

Boateng was off the field of play when he earned the sixth yellow card of a fractious first half, leaving Michael Jordan-like to intercept when Martin O'Neill, the Leicester manager, tried to lob the ball to Guppy for a quick throw-in. Yellow

No 7 followed two minutes later, when Boateng left Zazgorakis in a crumpled heap on the edge of the area; from basketball to basketball, it could be said. And so the die was cast.

Leading by Whelan's cleverly lofted goal in the seventeenth minute, Coventry decided that massed defence was their only option. Leicester, spurning enough good chances to win the whole competition, never mind one tie, failed abysmally to translate possession into goals and their neighbours twice broke the length of the pitch to score in second-half stoppage time, through Teller and Froggatt, and add a preposterous twist to the score.

Not one for cardinals or travellers (or community service), Boateng was blunt. "I told the ref he was being childish over the first booking, but you could tell after 25 minutes that he was going to send someone off," he said. "The second booking was my first foul." Boateng will ask O'Neill, who insisted "it was not my intention to get anyone sent off" and who promised to study the video, to support an appeal.

The Leicester manager, though, has his own, more pressing concerns. While his team might easily have won — Elliott fluffed a first-half penalty, Heskey missed two clear openings and Izet a brace of sinners — O'Neill's lack of squad depth, highlighted by Cantona's absence with a calf strain, is not so much acute as embarrassing. Should they lose to Sunderland in the semi-finals of the Worthington Cup — the first leg is at the Stadium of Light tomorrow — a season that promised so much will fall flat.

LEICESTER CITY (4-4-1-1): K. Kallis — F. Bardsley, M. Elliott, S. Walsh, R. Unwin (sub), G. Froggatt, P. Teller, A. Froggatt, J. Zazgorakis (sub), G. Pinner, S. N. Jordan, S. Guppy — M. Best — F. Heskey. COVENTRY CITY (4-4-2): M. Hedderley — M. Elliott, R. Shaw, P. Wilkins, G. Barmby, G. Bardsley, S. G. Bardsley, G. Bardsley (sub), P. Teller, S. G. Bardsley. Referee: A. Wilkie.

FA Cup: Favourites scrape through at the death as holders make assured progress

## Seconds out, round five for United

Manchester United.....2  
Liverpool.....1

By Matt Dickinson

ALEX FERGUSON'S tension can normally be measured by the fury of his gum-chewing and, for 88 minutes yesterday, he looked to be in danger of gnawing off his tongue. Time was ebbing away and his Manchester United team could not match the vigour of a wonderfully - and unusually - vociferous Old Trafford crowd.

The plain facts of what happened in those final minutes are that Dwight Yorke and Ole Gunnar Solskjaer scored the goals that knocked Liverpool out of the FA Cup. How and why, though, were the cause of much head-scratching on Merseyside, as the inquests began into a thrilling, if not epic, game.

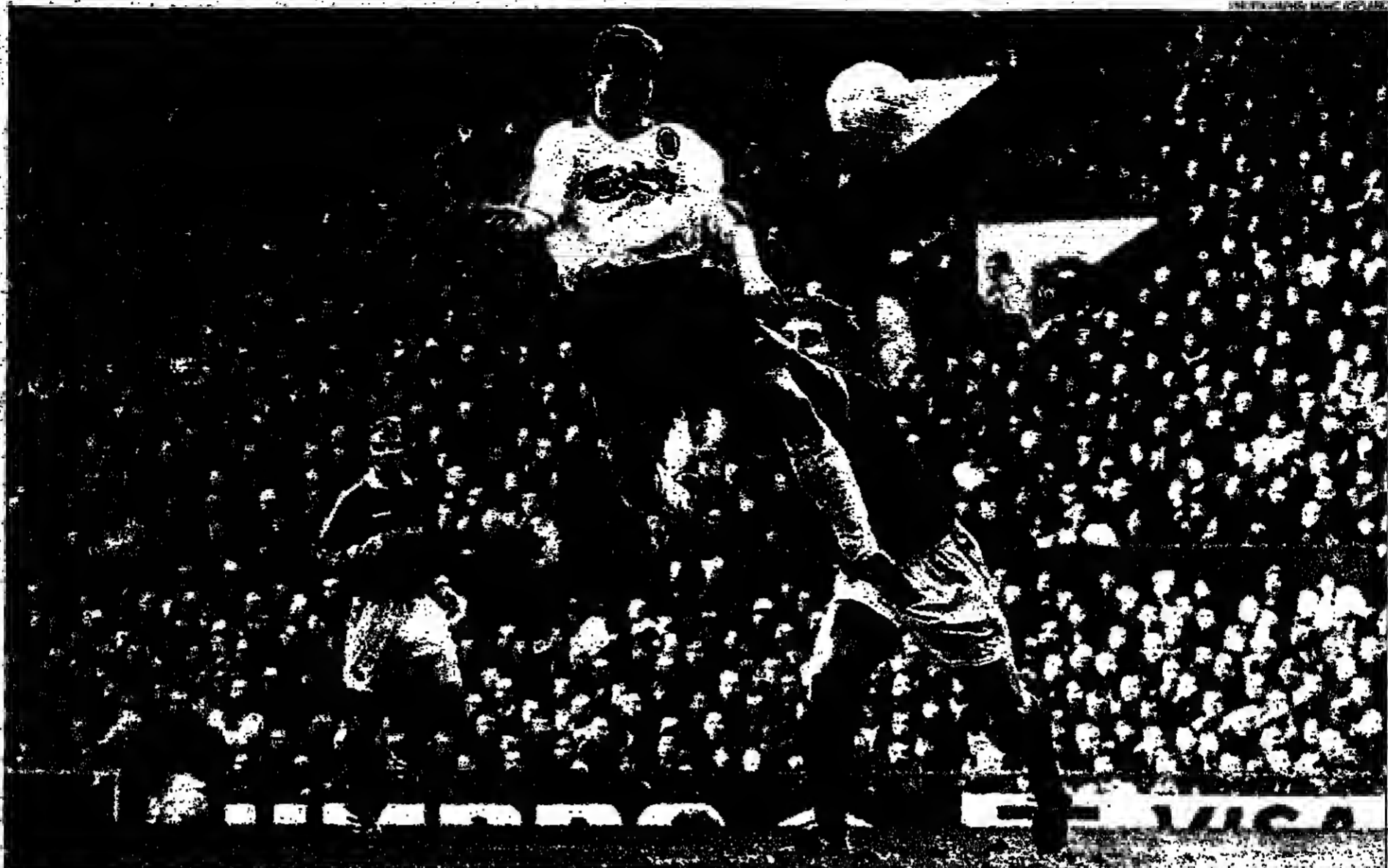
Tiredness, bad defensive positioning and the referee were cited by Gerard Houllier as the principal reasons, while sheer determination by his own team was Ferguson's straightforward verdict. Both managers were right, but it is United who march forward to the fifth round and their campaign remains alive on three fronts.

For Liverpool, the journey home meant the chance to reflect that they will once again be without silverware, but there was salvation to be found amid the wreckage yesterday. They may not win any honours, but they may yet finish the season with pride under Houllier's increasingly resolute leadership.

Laughed out of Wembley in their cream Armani suits the last time that they met United in this competition, yesterday they made their great rivals look like the ones all dressed up with nowhere to go, at least for much of the game.

It was impossible not to feel sympathy for the Liverpool players as they slumped to the ground at the final whistle. So roundly criticised for their indiscipline over recent seasons, they had stuck to orders with regimental regard. From Carragher, "splendid" at the back, to the efficient Redknapp in midfield and forward to Fowler, who repeatedly dropped back to make impossible tackles, they had, it seemed, replicated Houllier's game-plan to perfection.

At least, they thought they had - and maybe that was the problem. Two late errors and the whole construction collapsed around them, but then that is always the danger when you are facing a side of United's attacking power. When a team can bring on sub-



Owen rises in front of Neville to head Liverpool into an early lead at Old Trafford yesterday, where two late goals won a thrilling FA Cup fourth-round tie for Manchester United

stitutes of the match-changing potential of Scholes and Solskjaer, they can afford to leave things to injury time.

Solskjaer, whose winner came more than a minute into stoppage time (or "Ferguson time", as it is known by his rivals), has now scored more goals this season (11) than he has started games (9). "I'll have to give him more football," Ferguson said. He will need to if the Norwegian is to keep turning down offers such as he has from Tottenham Hotspur and West Ham United recently.

"The game lasted five minutes too long for us," Houllier said. "We had the chances to score a second goal and that could have made the difference."

Liverpool did not have to wait long for the first. The game was only three minutes old when Berger glided past Butt and fed the ball via Redknapp to Heggem. The wing

back sped to the byline, from where he spotted Owen, unmarked, for a simple header. "God almighty," Ferguson said later, so goodness knows what expletives he let fly about Berg's slackness at the time. "I

wouldn't have thought a 5ft 6in striker would get a header at Old Trafford in the first five minutes."

Ferguson had to wait 20 minutes for his team to conjure much in response, a header by Keane hitting the post and then Ince on the goal line. It was a rare United cross that found its target, though, as Giggs and Beckham struggled to penetrate. Too many of their centres were chipped from

deep, while Cole and Yorke lacked movement. Perhaps it was the early start.

The tensions were evident in the United bookings, which outnumbered Liverpool's by four to two. Never a vicious game, some of the tackles were still eye-watering, with Keane's lunge at Redknapp the worst of the bunch.

United's frustration was down to the number of misplaced passes and it was Liverpool who went closest to scoring, with Fowler shooting just over the bar and Berger forcing an excellent save from Schmeichel at close range.

Liverpool had defended deeply in the first half, but, after the interval, they allowed themselves to be pushed back to the point that they were treading on James's toes. Gradually, the number of United chances began to increase, with James rushing out of his box to thwart Cole, a shot by Keane deflecting wide



Solskjaer scores United's dramatic late winner through a crowded goalmouth

## Petit provides latest blot on Arsenal character

Wolverhampton Wanderers.....1  
Arsenal.....2

By Kevin McCann

FOR the FA Cup, clubs dress themselves in tradition like men donning period costume. The victors were to be draped with the venerable epithet of "Lucky Arsenal", having secured the win with a Dennis Bergkamp shot that hit one Wolverhampton Wanderers player and then Nicolas Anelka, his team-mate, before finding its way home. The Highbury club also displayed some disreputable traits of more recent vintage.

Emmanuel Petit was sent off in the 86th minute for a gesture of dissent at a linesman that brought a straight red card from Steve Dunn, the referee, rather than his second booking. It was the France midfielder's third dismissal since he joined the club and Arsenal's seventh of the season. In Arsène Wenger's period as manager, there have been 19 sendings-off.

"I am not happy with what happened on the field with the referee," Wenger said, adding that he did not

know why Petit was sent off, despite feeling able to call the incident "a minor offence".

Wenger also reckoned that serious misconduct by the home side, which saw Bergkamp hit in the face, went unpunished. "We are not a dirty team," the manager insisted.

Whatever trouble they may incur with the authorities, Arsenal were also at odds with themselves. In a fitful performance, the Cup-holders imposed their authority fully only in the later stages and, with the score at 1-1, Havard Flo had struck the post for Wolves. It may be that Arsenal, in common with most spectators, were misled by the ease with which the match began for them. Reality took a while to register.

It is one of the charms of the Cup that it pairs teams who know little of one another, but Wolves' apparent lack of familiarity with Arsenal's ways was outlandish with regard to the opening goal, in the tenth minute. The clubs might as well have come from separate continents rather than different divisions.

Statisticians will have to credit Tony Adams with an assist, even though he merely rolled the ball to



You're off: Petit sarcastically applauds Dunn, the referee, after being dismissed at Molineux. Photograph: Hugh Routledge

Marc Overmars in the Arsenal half. The winger kept on running, stopping only when it was time to celebrate. As he approached the penalty area, defenders such as Mark Atkins and Keith Curle still kept their distance. Did they imagine that Overmars was incapable of

finishing from there? They had allowed him as much time as a golfer requires to read the line of his putt and the Dutchman rolled a shot into the corner of the net.

The naivety of Wolves in that passage contributed to the delusion that they would be taken advantage of by

Wolves' side. That theory proved to be a misconception, because Wolves did not suffer from the paralysing bashfulness that afflicted them in losing to Arsenal at the semi-final stage of this competition last season. The visitors, for a long spell, were unable to make any meaningful return to the attack.

With industry, Wolves were able to set up camp in the opposition's half. To do so, where Arsenal are concerned, can be rather like pitching tent in a soggy field in winter. There is little fun to be had. Impassive as ever, the Arsenal defence gave the impression that it would be its normal, stifling self. Exciting though Robbie Keane is, the teenage forward was usually forced to play in innocuous areas.

When it arrived, danger was triggered from an improbable distance. The long ball from Kevin Muscat, after 35 minutes, would have posed little difficulty had Alex Manninger not chosen to try to reach it. Matthew Upson, his centre half, rightly stood aside to allow the goalkeeper access, but Manninger never made contact and Flo, the Norway forward, scored his first goal for

Wolves by heading in via the post. Rumbustiousness followed, with Muscat catching Bergkamp in the face with an elbow in an exchange, and Arsenal wavered.

Flo, in the 55th minute, eluded a defender to take Muscat's pass and fire against the inside of the post. All the same, the visitors flourished thereafter, establishing that they could respond to peril. Mike Stowell, the goalkeeper, saved from Dixon, Bergkamp and Overmars before being beaten in the 69th minute.

Remi Garde's corner was partially cleared and Bergkamp volleyed from 25 yards. Attempting to block, the head of Flo sent the ball brushing against Anelka's hip and into the net. Colin Lee's side cursed their ill-fortune, but it was the alleged profanity of Petit's gesture that was to register most dramatically yesterday afternoon.

WOLVERHAMPTON WANDERERS (4-4-2): M Stowell - M Ashby (sub: D Connolly 80min), O Richards, K Curle, P Muscat - C Robinson (sub: Sedgley, 81), N Emberton, S Gidson, M Gibbs (sub: Simpson, 81) - R Keane, H Flo.

ARSENAL (4-4-2): A Manninger - L Dixon, T Adams, M Upson, N Winterburn - R Parlova, R Garde (sub: N Webb, 70), E Petit, M Overmars (sub: S Hughes, 80) - G Bergkamp, N Anelka (sub: G Gernsma, 87).

Referee: S Dunn

## Rovers deliver in purple patch

Bristol Rovers.....3  
Leyton Orient.....0

By Nick Szczepanik

YOU have heard, no doubt, the expression "a game of two halves". This was a game of one-sixth. Seventy-five minutes of energetic but unspectacular stalemate were consigned to memory by three late goals as Bristol Rovers advanced to the FA Cup fifth round for the first time in 20 years.

Leyton Orient must have felt that they had drawn Rovers stung when their marking of Jamie Carron, scorer of four goals in their previous game, proved so effective that he was moved to the wing to allow the introduction as substitute of Gary Penrice, the player-coach. Moreover, in Amara Simba, the former France international, they

had the most accomplished-looking forward on the field and had come closest to scoring through Alex Inglethorpe and Dean Smith. It all counted for nothing. In the 76th minute, Jason Roberts shot off after Smith had cleared a Penrice effort off the goal line after a disputed free kick. David Lee then robbed Roger Joseph and Roberts volleyed the third via a post. Rovers could even have made it five with steadier finishing, but the Memorial Stadium's record crowd of 9,274 went home more than content.

"For 75 minutes, we matched them," Paul Clark, the Orient assistant manager, said. "We were disappointed that it came from a free kick that was questionable, but Gary Penrice told me that that's how things are going for them."

In fact, since victory over Well-

ing United in the first round of the cup, Rovers have lost only one of their 13 games, a tribute to the re-modelling of a side by Ian Holloway, the player-manager. "I'm very pleased with this squad that I'm getting together," he said. "We are all so young everywhere, but they are quality kids."

After overcoming three Nationwide League first division sides in the competition, as well as Well- ing, Holloway hoped the draw for the fifth round would give him a chance to test his young team against a higher calibre of opposition. But they might have to play well for more than 15 minutes.



Carbone: a magician who wants to be believed

## Carbone waves his magic wand

Sheffield Wednesday.....2  
Stockport County.....0

By Martin Woods

DANNY WILSON, the Sheffield Wednesday manager, has been running the rule over Hugo Porfiro, the Benfica and Portugal striker. However, Wilson's main reservation about signing Porfiro concerns how it might affect the balance of his side. Apparently, he fears that Porfiro might be a clone of Benito Carbone, in which case, Wilson is a comedian.

After Saturday's performance against Stockport County, of the Nationwide League first division, the Wednesday manager would be well advised to lasso Porfiro's agent and agree to the original price that he had been quoted for the player.

For most of this season, Wednesday's sole attacking threat has been Carbone. On Saturday, the little magician contributed to Wednesday's breakthrough goal in the sixteenth minute, when he received Hinchcliffe's short corner and curled in a sweet cross that was headed home by Thorne, and scored one of his patented exocets 57 minutes into the second half.

County could ill-afford to lose a goal to a set piece, let alone lose Downing, their full back, to a pulled hamstring after just six minutes. Gary Megson, their manager, who twice reached the FA Cup semi-finals with Wednesday in the Eighties, persisted with the man-marking of Carbone.

Such a tactic might well have had appeal on the dressing-room's blackboard, but it was surely folly, given that even the cream of Serie A's defenders would probably find

Carbone a handful in his present form.

Unfortunately, Wilson's side has struggled to reach top gear on two successive occasions this season and, but for some woeful finishing by County, the second half might have assumed the traditional characteristics of this historic competition. Apart from Carbone's goal, it was impossible to escape the sense of ennui. Talking of his little Italian, Wilson said: "He only wants people to believe in him and I certainly do that." Hillsborough, on Saturday, was no place for agnostics. Like Wembley, in fact.

SHEFFIELD WEDNESDAY (4-4-2): P Smyth - P Atkinson, O Walker (sub: J Newsum, 75min), E Thorne, A Hinchcliffe - W Joki, P Rids, N Aspin, G Brown, D Garner - R Humphries (sub: A Booth, 82), B Carbone.

STOCKPORT COUNTY (5-3-2): S Connolly, M Payne, M McIntosh, C Cook, T Downing (sub: J Gordon, 61) - W Phillips (sub: R McNeill, 65), O McInnes, C Woodhouse - B Angell, I McKee.

Referee: N Batty

## Arsenal draw comfort from home tie

By Russell Kempson

ARSENAL, the FA Cup holders, have endured a rough passage during their attempt to retain the trophy this season, so it was with some relief that they received a home tie in the fifth-round draw yesterday. They will play the winners of the delayed fourth-round match between Sheffield United and Cardiff City, which is being played at Bramall Lane on Wednesday.

In the third round, Arsenal trailed 2-0 against Preston North End, the Nationwide League second division side, before recovering to win 4-2. In the fourth round, at Molineux yesterday, they defeated Wolverhampton Wanderers 2-1 thanks to a late, deflected goal from Dennis Bergkamp.

"I'm just glad the next game is at Highbury," Lee Dixon, the Arsenal full back, said. "We've been away in our last two matches and it'll be nice to get back home."

On the strength of an apparently easy draw, Arsenal have been made second favourites, at 4-1, to win the Cup. Manchester United, who have been paired with Fulham, conquerors of Aston Villa on Saturday, at Old Trafford, head the field at 3-1.

Dixon, though, regarded the visit of Sheffield United or Cardiff with caution. United knocked Arsenal out of the Cup at the third-round stage three years ago, winning 1-0 at Bramall Lane after a 1-1 draw at Highbury, and Cardiff lead the third division by five points. "I

## DRAW

Arsenal v Sheffield Utd or Cardiff  
Wolverhampton v Huddersfield v Derby  
Leeds v Wimbledon or Tottenham  
Barnsley v Bristol Rovers  
Sheff Wed v Oxford or Chelsea  
Everton v Coventry  
Newcastle v Blackburn  
Manchester Utd v Fulham  
Q1 Ties to be played the weekend of February 13

remember the Sheffield games," he said, "and I wouldn't like that to happen again."

George Graham, the former Leeds United manager, who left the club only four months ago, would be assured a warm reception on his return to Elland Road if his Tottenham Hotspur side manage to overcome Wimbledon in their replay. The teams drew 1-1 at Selhurst Park on Saturday.

Chelsea, the FA Carling Premiership leaders, take on Oxford United, the struggling first-division side, at the Manor Ground tonight with a tie against Sheffield Wednesday at Hillsborough awaiting the winners.

Of the other all-Premiership ties, Everton take on Coventry City at Goodison Park and Newcastle United meet Blackburn Rovers at St James' Park.

Bristol Rovers, the second division side, were disappointed with their draw away to Barnsley. "It would've been nice to have got Tottenham," Jason Roberts, the Rovers striker who scored twice in their 3-0 victory against Leyton Orient, said.





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THE TIMES

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## Queen's Bench Division

## Law Report January 25 1999

## Court of Appeal

## Deciding whether tenancy exists

**Mehra v Royal Bank of Scotland plc and Others**  
Before Mr Richard Southwell, QC  
(Judgment January 14)

In deciding whether a tenancy existed, the three hallmarks principle, occupation for a term, at a rent, with exclusive possession, as set out in *Street v Mountford* (1985) AC 825, 828, were decisive in circumstances where other factors of equal importance to and in addition to those hallmarks were to be considered.

Mr Richard Southwell, QC, sitting as a deputy judge of the Queen's Bench Division, so held in awarding Mr Mehra £100,000 damages for wrongful eviction.

In October 1993 Mr Mehra had approached Mr John McKerracher of Nolan Associates regarding the rent of a room in the Riverbank Hotel at 30/32 Old Broad Street, London, on a long term basis, as he was not a visitor but a lodger.

Mr Mehra was informed that the Royal Bank of Scotland was the owner of the premises of the hotel, that Mr C. G. Adams had been appointed receiver of the hotel and was authorised to manage and operate it on behalf of Mr Fakhri Gham Hussain Ramji, FCA, the chairman, which was in due course to be set up.

Mr Adams had given written instructions for Nolan Associates to act as the management agents for the properties. Mr McKerracher, after obtaining consent from the bank, entered into an oral agreement with Mr Mehra, that Mr Mehra was to have exclusive possession on a long term basis of room 418 in the hotel at an agreed monthly rent.

The agreement continued for six months. On May 1994 Mr Mehra was asked to leave by Mr Adams and Mr Nolan that completion was to take place on the sale of the hotel, and he was asked to leave by the following day; further, if he wanted to occupy his room he would have to

sign a new contract. Mr Mehra refused and sought legal advice on the following day. He returned to find that he had been wrongfully evicted.

Mr Mehra in person: Mr Peter Brunner for Mr Ramji.

HIS LORDSHIP said that the three hallmarks were present: 1 Mr Mehra had exclusive possession.

2 There were monthly payments.

3 There was a periodical term.

In addition, reference could be made to these other factors:

4 This was a room in a hotel, although as Mr Mehra pointed out, in a hotel being run in what was still recognisably built as a house.

5 The room was let as a furnished room.

6 Limited services of cleaning and furnishing, bedsheet changing (referred to as minimal) were provided.

7 It was known to both parties that the hotel was in the hands of a receiver and presumably to be sold as a going concern, if possible.

8 It was known to both parties that Mr Mehra was to have exclusive possession of the room.

9 The agreement was clearly on a special basis, expressly distinguished by the parties from the ordinary arrangements for a hotel room.

10 When Mr Mehra's first claim was pleaded in West London County Court in May 1994 by counsel and solicitors, the pleading was based on a licence and not a tenancy, contrary to Mr Mehra's instructions and subsequently corrected by him on amendment, and the interim injunction was discharged on the ground that a licence was not binding on a purchaser of the hotel with notice see *Abbott v Abbott* (1998) 1 QB 1181.

11 When Mr Mehra's claims were struck out on other occasions at first instance or by the Court of Appeal it was assumed by the courts that he had no more than a licence.

But in his Lordship's judgment, the observations in *Street v Mountford* were directed primarily to a case in which the three hallmarks were the factors of overriding importance, and to which the landlord had deliberately set out to exclude Rent Act protection for the tenant.

Those observations could not be applied indiscriminately, and particularly not in a case in which there were other equally significant factors to be taken into account in addition to the three hallmarks.

Having regard to all the factors above, his Lordship was satisfied that this case was distinguishable from *Street v Mountford* on its facts.

Like Lord Templeman in *Street v Mountford*, his Lordship was concerned as to how contractual tenancies and contractual licences were in general to be distinguished.

But in his Lordship's judgment

there was no simple, all-embracing test for such a distinction. The search for such a test would be a search for a chimera.

What each court, faced with the need to make a distinction, had to do was weigh all the relevant and significant factors and to decide in the light of them on which side of the line the particular case fell.

This case fell on the contractual licence side of the line: see *Abbeyfield (Harpenden) Society Ltd v Woods* (1988) 1 WLR 374, *Lugard v Souter* (1998) 1 WLR 374, *Ch 209*, and *Marchant v Chivers* (1997) 1 WLR 1181.

His Lordship concluded that a notice period of four months was appropriate, that Mr Mehra was entitled under section 27 of the Housing Act 1988 to the statutory damages of £45,000 against Mr Ramji, calculated under section 28.

Mr Ramji was also vicariously liable for the trespass committed by Mr Adams and Mr Mehra, the total of £27,500 to be set off against the statutory damages.

Each of Mr Adams and Mr Nolan was liable to Mr Mehra in respect of the trespass committed by Mr Adams and Mr Mehra, the total of £27,500 to be set off against the statutory damages.

His Lordship referred to comments made on October 17, 1997, by Lord Justice Robert Walker when he had refused leave to appeal in the case of Mr Mehra's action against Mr Ramji on May 7, 1997 striking out Mr Mehra's action against the bank.

Lord Justice Robert Walker had stated that in law the bank as mortgagee was not responsible for the actions of Mr Adams, although the bank was the bank which had appointed him as receiver. Under the general law, and under the terms of the mortgage, it was the mortgagee, Mr Ramji, who would normally be responsible for the actions of Mr Adams.

Lord Justice Robert Walker had drawn attention to the harshness of that principle, since it was always the mortgagee, not the mortgagee, who had the funds neces-

sary to make good the receiver's wrongful acts.

His Lordship respectfully added his voice to that of the Court of Appeal. This was a long established principle that needed reconsideration in modern conditions because not infrequently it could work serious injustice.

His Lordship added that the absence of legal aid had meant that virtually all the proceedings had been funded by Mr Mehra as a litigant in person. That had resulted in a number of abortive proceedings, involving much wasted costs, time and effort, not least on the part of the courts.

If the litigant in person had been able to obtain competent and effective legal advice from the outset, the right defendant could have been sued in respect of the right causes of action.

In the time of the courts has been spent on many occasions unnecessarily. That was not the fault of the litigant in person, Mr Mehra, who had, as Lord Justice Robert Walker had recognised had no knowledge or guidance in a legal system which provided virtually no help to him as a litigant in person.

It was not improbable that the costs of unnecessary court time had substantially exceeded, in the public purse, the cost of simple legal aid provided to Mr Mehra.

It seemed to his Lordship that, in the course of the present reforms of the civil justice system, one of the aims should be to achieve a better balance between the cost to the taxpayer of abortive civil legal proceedings before the courts, and the cost of providing effective and competent legal advice and assistance to litigants in person.

Unless that was achieved, the unnecessary burden on the civil courts was likely to rise substantially.

Solicitors: Keegan Williams.

## Failure to comply with salary package

**Cantor Fitzgerald International v Callaghan and Others**  
Before Lord Justice Nourse, Lord Justice Judge and Lord Justice Tuckey  
(Judgment January 21)

In a contract of employment the contractual arrangements for pay between employer and employee were of crucial importance. The deliberate and determined refusal by an employer to honour an agreement that diminishing the value to an employee of an agreed salary package amounted to a repudiatory breach of the contract of employment.

The Court of Appeal so held in a reserved judgment allowing an appeal by five employees, Les Callaghan, Kevin Chandler, Michael Gomez, Robert Stallis and Sean Talbot, from the judgment of Mr Justice Popplewell on March 26, 1997, whereby he had held, inter alia, that their employer, Cantor Fitzgerald International, had not repudiated their contracts of employment by failing to comply with the agreed arrangements as to their salary packages.

Mr Eldred Tabachnik QC and Miss Jane Tracy Foster for the employees; Mr Alistair McGregor, QC and Mr Nigel Porter for the employer.

LORD JUSTICE JUDGE said that the employees were members of a team of independent brokers employed by Cantor on its Belgian government securities desk.

In 1997 the five handed in a joint notice of termination of their employment, intending to start work with Cantor's rivals, Liberty Eurasia Ltd.

For the purposes of the appeal the defendants claimed that their contracts of employment had been repudiated on the ground, inter alia, that Cantor had wrongly failed or refused to comply with the agreed arrangements in relation to their salary packages, connected in particular with assurances given to them about tax liabilities.

Their contracts of employment with Cantor had made provision for payment to each of them of four-year £60,000 forgivable loans that included arrangements for the repayment of the loans to be made by the employees in the event of their leaving Cantor within the five-year period.

In the eventual circumstances, and inconsistently with that agreement, each defendant became liable to tax on the unpaid benefit of the loans. Cantor refused to do anything about the problem.

The loan agreement was integral to the contracts of employment.

It was the understanding at the time of the contractual arrangement between them and their employer, see *Cresswell v Board of Inland Revenue* (1984) 1 CR 508, 522; *R. F. Hill Ltd v Mooney* (1981) 1 IRLR 258; *Miles v Wakefield Metropolitan District Council* (1987) AC 59, 570; and *Rigby v Ferodo Ltd* (1986) 1 ICR 29.

The question whether non-payment of agreed wages or interference by an employer with a salary package was or was not fundamental to the continued existence of a contract of employment, depended on the critical distinction to be drawn between an employer's failure to pay, or his delay in paying agreed remuneration, and his deliberate refusal to do so.

Where the failure or delay constituted a breach of contract, depending on the circumstances, that might give rise to no more than a temporary fault in the employer's performance, an accounting error or simple mistake, or illness, or accident, or unexpected events. If so, it would be open to the court to conclude that the breach did not go to the root of the contract.

On the other hand, if the failure or delay in payment was repeated and persistent, perhaps also unexplained, the court might be driven to conclude that the breach or breaches were indeed repudiatory.

Where, however, an employer unilaterally reduced his employee's pay or diminished the value of his salary package, the entire foundation for the contract of employment was undermined.

Therefore, an emphatic denial by the employer of his obligation to pay the agreed salary or wage, or a determined resolution not to comply with his contractual obligations in relation to pay and remuneration would normally be regarded as repudiatory.

It was doubtful that the concept of de minimis had any relevance in such cases. If the amount at stake was very small, and the circumstances justifying a minimal reduction were explained to the employee, then the likelihood was that he would be prepared to accept new terms by way of mutual variation of the original contract.

However, an apparently slight change imposed on a reluctant employee by economic pressure exercised by the employer should not be confused with a consensual variation, and in such circumstances an employee would be entitled to treat the contract of employment as discharged by the employer's breach.

In this case the amount in issue was not in the context of the overall package very great, although the sums at stake were not trivial. However, the refusal to pay was deliberate and determined, motivated by a desire improperly to pressure the defendants into harder work.

The decision wholly undermined the contract of employment and constituted a repudiatory breach.

Lord Justice Nourse and Lord Justice Tuckey agreed.

Solicitors: Magrath & Co, Norton Rose.

ILLNESS irrelevant in time limit extension

**Regina v Central Criminal Court, ex parte Bennett**  
Before Lord Justice Otton and Mrs Justice Steel  
(Judgment December 21)

In deciding whether it was appropriate to extend custody time limits on the ground of illness, the illness of the defendant was irrelevant, when considering whether the prosecution had acted with all due expedition, to take into account an alleged victim's illness.

The Queen's Bench Divisional Court so held in allowing an application for judicial review and granting an order of certiorari quashing the decision of Judge Hawkins, QC, on November 11, 1998, to extend a custody time limit until November 30, 1998, because the alleged victim was undergoing a throat operation.

The prosecution had failed to comply with orders made by Judge Michael Hyam, Recorder of London, on October 2, 1998, regarding the service of certain items on the defence within set time limits or by November 11, 1998.

Solicitors: Stoddard Charley Norton Rose.

Bank of Credit and Commerce International SA (in compulsory liquidation) v Ali and Another

Before Mr Justice Lightman  
(Judgment December 18)

The essential difference between a compromise and a release was that in the former there was a release of claims for valuable consideration, and in the latter there was no such consideration.

An agreement entered into by former employees in settlement of "all or any claims whether under statute, common law, or in equity" arising from their previous employment in return for payment, was therefore a compromise and not a release, and was not subject to the provisions of the Insolvency Act 1986 relating to the discharge of claims.

Mr Justice Lightman so held in a reserved judgment in the Chancery Division when, inter alia, dismissing the claim of the Bank of Credit and Commerce International SA, by its liquidators, that agreements entered into by former employees in settlement of claims for valuable consideration, and in the latter there was no such consideration.

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**TRADING PERIOD:** Settlement takes place five business days after the day of trade. Changes are calculated on the previous day's close, but adjustments are made when a stock is ex-dividend. Changes, yields and price/earnings ratios are based on middle prices.

# Capitalisation, week's change

TRADING PERIOD: Settlement takes place five business days after the day of trade. Changes are calculated on the previous day's close, but adjustments are made when a stock is ex-dividend. Changes, yields and price/earnings ratios are based on middle prices.

Mid cap	Company	Price	Chg	%	P/E
5.48	500	750	-10	-1.3	18.1
5.49	500	550	-20	-3.6	18.1
5.50	500	210	-20	-9.5	14.3
5.51	500	210	-20	-9.5	14.3
5.52	500	210	-20	-9.5	14.3
5.53	500	210	-20	-9.5	14.3
5.54	500	210	-20	-9.5	14.3
5.55	500	210	-20	-9.5	14.3
5.56	500	210	-20	-9.5	14.3
5.57	500	210	-20	-9.5	14.3
5.58	500	210	-20	-9.5	14.3
5.59	500	210	-20	-9.5	14.3
5.60	500	210	-20	-9.5	14.3
5.61	500	210	-20	-9.5	14.3
5.62	500	210	-20	-9.5	14.3
5.63	500	210	-20	-9.5	14.3
5.64	500	210	-20	-9.5	14.3
5.65	500	210	-20	-9.5	14.3
5.66	500	210	-20	-9.5	14.3
5.67	500	210	-20	-9.5	14.3
5.68	500	210	-20	-9.5	14.3
5.69	500	210	-20	-9.5	14.3
5.70	500	210	-20	-9.5	14.3
5.71	500	210	-20	-9.5	14.3
5.72	500	210	-20	-9.5	14.3
5.73	500	210	-20	-9.5	14.3
5.74	500	210	-20	-9.5	14.3
5.75	500	210	-20	-9.5	14.3
5.76	500	210	-20	-9.5	14.3
5.77	500	210	-20	-9.5	14.3
5.78	500	210	-20	-9.5	14.3
5.79	500	210	-20	-9.5	14.3
5.80	500	210	-20	-9.5	14.3
5.81	500	210	-20	-9.5	14.3
5.82	500	210	-20	-9.5	14.3
5.83	500	210	-20	-9.5	14.3
5.84	500	210	-20	-9.5	14.3
5.85	500	210	-20	-9.5	14.3
5.86	500	210	-20	-9.5	14.3
5.87	500	210	-20	-9.5	14.3
5.88	500	210	-20	-9.5	14.3
5.89	500	210	-20	-9.5	14.3
5.90	500	210	-20	-9.5	14.3
5.91	500	210	-20	-9.5	14.3
5.92	500	210	-20	-9.5	14.3
5.93	500	210	-20	-9.5	14.3
5.94	500	210	-20	-9.5	14.3
5.95	500	210	-20	-9.5	14.3
5.96	500	210	-20	-9.5	14.3
5.97	500	210	-20	-9.5	14.3
5.98	500	210	-20	-9.5	14.3
5.99	500	210	-20	-9.5	14.3
6.00	500	210	-20	-9.5	14.3

Mid cap	Company	Price	Chg	%	P/E
5.91	500	210	-20	-9.5	14.3
5.92	500	210	-20	-9.5	14.3
5.93	500	210	-20	-9.5	14.3
5.94	500	210	-20	-9.5	14.3
5.95	500	210	-20	-9.5	14.3
5.96	500	210	-20	-9.5	14.3
5.97	500	210	-20	-9.5	14.3
5.98	500	210	-20	-9.5	14.3
5.99	500	210	-20	-9.5	14.3
6.00	500	210	-20	-9.5	14.3
6.01	500	210	-20	-9.5	14.3
6.02	500	210	-20	-9.5	14.3
6.03	500	210	-20	-9.5	14.3
6.04	500	210	-20	-9.5	14.3
6.05	500	210	-20	-9.5	14.3
6.06	500	210	-20	-9.5	14.3
6.07	500	210	-20	-9.5	14.3
6.08	500	210	-20	-9.5	14.3
6.09	500	210	-20	-9.5	14.3
6.10	500	210	-20	-9.5	14.3
6.11	500	210	-20	-9.5	14.3

[illegible]

*All the very best*  
**Malaysia**

## Hotel group legal row as casino is clo

**DAEJAN HOLD**  
**PLC**

TODAY	
Interim: Filtronic, Haynes Publishing, Monsoon, Wirtz, F. male: Lomho. Economic statistics: none scheduled.	
TOMORROW	
Interim: Aston Villa, Cassidy Brothers, FII Group, Photo-Me International. Final: IMS Group, London Scottish Bank. Economic statistics: CBI quarterly industrial trends survey.	
WEDNESDAY	
Interim: Aromascan. Final: Northern Rock. Economic statistics: November global, December non-EU trade figures, fourth-quarter mortgage repossessions.	
THURSDAY	
Interim: Bryant Group, Goodhead, Medias, MISYS. Final: Bensons Crisps, Charming. Economic statistics: December British Bankers' Association mortgage lending.	
FRIDAY	
Interim: Richards. Final: Derby Trust, Partridge Fine Art, Staver Zigmata. Economic statistics: Nationwide January house price survey, National Institute of Economic and Social Research quarterly economic review.	

Bank	Bank
Buy	Sell
Australia \$	2.67
Austria Sch	20.63
Belgium F	36.75
Canada \$	2.67
Cyprus Cyp £	0.8724
Denmark Kr	13.20
Egypt	5.83
Finland Mk	8.03
France F	3.48
Germany DM	2.953
Greece Dr	486
Hong Kong	13.43
Ireland	127
Indonesia	18042
Israel NIS	2.1781
Italy Lit	7.10
Japan Yen	2937
Malaysia	2.03
Netherlands Gld	3.335
New Zealand	2.06
Norway Nkr	12.87
Portugal Esc	206.50
Spain Ptas	166.64
Sweden Kr	13.39
Switzerland F	2.440
Taiwan NTD	65.906
UK £	1.759
USA \$	1.616

Notes for small denomination banknotes only as supplied by Barclays Bank. Different rates apply to travellers' cheques. Rates set at close of trading on Friday.

## Northern Rock prepares to kick off season with modest increase

**NORTHERN ROCK:** The former building society kicks off the bank reporting season on Wednesday and is expected to show a modest improvement in full-year profits in spite of a slowdown in lending growth. The bank, which is based in Newcastle upon Tyne, is believed to have a reasonable pipeline of mortgage business for 1999, but analysts will be keen to see whether increased competition from new entrants such as Prudential's Egg and Standard Life Bank will have put pressure on Northern Rock's margins.

In 1997, the bank's net interest margin — the key measure of profitability — shrank to 1.69 from 1.82. Investors should watch out for any further reduction. The City is expecting between £201 million and £209 million for pre-tax profits (£198 million). Earnings per share are projected at about 31p and the dividend is expected to be raised to 12p (10.5p).

**LONRHO:** The group returns its first year of earnings as a dedicated mining business today and its platinum business is expected to put a shine on the profits. The City, however, is looking for news on whether the company is to take full control of Lonrho Platinum, buying out Gencor's 27 per cent stake in the division.

It is expected to have made £88 million pre-tax profit, against the £101 million it made last year before the sales of Princess Hotels, Dutton Forshaw and Lonrho Sugar. Analysts are also hoping for it to sell its 33 per cent stake in Ashanti Goldfields and focus on areas where it has full control.



Russ Gullit, left, Newcastle United's coach, may wish to swap tips on strategy with fellow Tynesiders Leo Fian, centre, Northern Rock's managing director, and Adam Appleghart, executive director

**banking and insurance markets.** The company, which produces risk management software for banks and insurance companies as well as software for the US healthcare market, is expected to

produce pre-tax profits of about £54 million (£19.2 million). Analysts also expect to be reassured about the performance of Medic, the company's healthcare software division. There have been con-

cerns that the division will suffer because of consolidation in the US healthcare market which is seen as a "non-core" area for Misys.

**MONSOON:** When Monsoon

gives its interim results today all eyes will be on its profit margins. When it floated at 198p a share in February last year, its sceptics were convinced that the profit margins of 19 per cent were not sustainable on a competitive high street. The bears have been proved right on the shares, now a penny above their low at 53p.

There are no projections for the half-year stage, but it should still be on the way towards its fourteenth successive year of higher profits. Still, Christmas trading is expected to be dire, with underlying sales down at least 5 per cent.

**OASIS:** The retailer gives its Christmas trading statement on Wednesday and is expected to have picked up on anything Monsoon may have lost. The City is less concerned about like-for-like sales figures from the retailer — mainly because it is expected to have had fewer leavers to flag in the sales. This means its profit margins should hold at the 14 per cent level, after slipping from about 16 per cent earlier.

**WH SMITH:** The retail group holds its annual meeting on Wednesday. No surprises are expected from its trading statement but shareholders may well ask exactly what it plans to do with the Internet. Richard Handover, chief executive, is becoming increasingly fired up about the Web and has referred to its high street stores as "the bricks and mortar side of the business".

The City now expects it to offer Internet access, like Dixons — but will this be offered for free? Has it found a telecoms company such as Energis to do all the connection work? How much shareholders' cash will be deployed? While enchantment with would-be Internet stocks is still dictating its share price, some early answers may emerge.

### ECONOMIC OUTLOOK

## Greenspan in spotlight

With most of January's main data now issued, analysts' thoughts will turn from the UK towards unease in international markets. Alan Greenspan, Chairman of the US Federal Reserve, will hold markets' attention on Thursday with his second set-piece appearance before Congress this month. He is expected to say more on likely effects of Brazil's crisis on the US economy. His view on whether there is any mileage in Argentina's plans to abolish its peso and adopt the US dollar will also be keenly awaited.

Latin American problems are also likely to dominate the world economics jam-boree in Davos, beginning on Thursday. The chances of a swift cut in European interest rates are likely to become clearer with the publication of eurozone inflation data tomorrow. Analysts expect no monthly rise in prices, giving an annual rate of increase in harmonised inflation of 0.8 per cent in December, against 0.9 per cent the previous month. The December eurozone M3 money supply data, also out this week, is expected to show a slight rise in the annual rate of growth from 4.5 per cent to 4.8 per cent, still well within the European Central Bank's monitoring range.

Japan's woes will be highlighted by figures due this week, with the focus on retail sales data on Wednesday. MMS International, the forecaster, expects sales to show an annual fall of 5.5 per cent in December. The CBI industrial survey due tomorrow will indicate sentiment among UK firms. Sentiment normally edges up in the new year and analysts expect interest rate cuts also to foster a slight recovery, but the confidence measure will still point to a continuing decline in manufacturing output.

UK trade data due on Wednesday is expected to show the largest quarterly deficit since the end of the last decade.

ALASDAIR MURRAY

### SUNDAY TIPS

The Sunday Times: Buy Burnham Castrol, Inn Business, Reuters, Signet, Cranswick, Sell NatWest, Blockleys, Centrica. The Sunday Telegraph: Buy Pizza Express, Newsquest, House of Fraser, Ring, Signet, Sell NatWest, Britannic Assurance, Johnson Fry, The Observer, Buy P&O, Hold Somerfield, Legal & General, Frosty. The Express on Sunday: Buy Pison, Prestbury, The Mail on Sunday, Buy Enterprise Oil, Lasmo, Monument Oil.

## Hotel groups in legal row after casino is closed

By DOMINIC WALSH

MIDDLESBROUGH has become the unlikely setting for a multimillion-pound legal spat between two of the country's biggest hotel groups.

Thistle Hotels, the owner of the town's Hospitality Inn, is being sued by Stakis, which operates the casino on the ground floor, after closing the hotel down in July for structural repairs and a refurbishment.

David Michels, Stakis chief executive, said that despite Thistle's assurances that the building was safe, he had not felt comfortable about keeping the casino open. "My board decided that if the hotel was closed then our casino couldn't trade there. As a result, we have initiated legal proceedings against Thistle."

Although he declined to comment further, local sources believe Stakis received legal advice that it would be liable for any potential injuries to its casino members. The hotel is not

expected to reopen until the end of the year and Stakis is thought to be seeking compensation for loss of business, running into millions of pounds.

Thistle admits that the Hospitality Inn has had structural problems — indeed, it led to a £5 million write-down in its half-year results in September — but its view is that its tenant had no need to close its casino. A spokesman said: "We closed the Hospitality Inn for one reason only: because the building work would have inconvenienced customers substantially. But this building work would not have affected Stakis's operation which has a separate access."

"The closure of the casino was one of several one-off factors that dragged down the first-quarter performance of Stakis's casinos. However, hotels continued to trade well, albeit at a slightly slower growth rate than previously, and its LivingWell health and fitness clubs stormed ahead.

## EU set to approve tax that may cost 110,000 City jobs

By MARTIN WALLER

DEFEAT is looming in Brussels tomorrow for attempts by British MEPs to prevent the introduction of the so-called "withholding tax" which could cost as many as 110,000 City jobs.

Simon Murphy, MEP for Midlands West, has tabled a series of amendments aimed at mitigating the effects on the financial community of the tax, which requires EU nations to tax investments or savings held by other EU nationals at source.

Such a law is already in place in France and Germany and its proponents, who include Mario Monti, the powerful Single Market Commissioner, say harmonisation across the Union is essential to fight tax evasion.

But it would badly hit the eurobond market in London because firms would either have to tax foreign nationals at the source of their income or keep track of their financial affairs.

The European Parliament's Economic and Monetary Affairs Committee will vote on the Murphy amendments and others tomorrow before drawing up a report to go to the full Parliament for a vote, probably in March.

Although the Committee is



Monti seeks harmonisation

split, it is thought that a majority will reject the amendments, which would exclude income from international bonds and delay any tax until it is adopted by other important financial centres.

Mr Murphy, Labour spokesman on economic and industrial affairs at Strasbourg, said he would reintroduce his amendments when the tax goes before Parliament. "We aren't going to vote for anything that will undermine jobs and competitive-

ness in the City," he said. "We want to stop tax evasion but we don't think this is the way to do it."

Opponents of the tax, which include the Corporation of London and various securities markets trade bodies, say it would result in a flight of business to New York and other trading centres that would cost thousands of jobs — according to one forecast, as many as 110,000 if the entire eurobond market is lost.

If Parliament agrees the tax, the final chance of preventing its introduction lies with the Council of Ministers, because the matter is subject to a veto by any member state. Gordon Brown, Chancellor of the Exchequer, has indicated that he will apply this unless there is an exemption for the eurobond market, but opponents are unwilling to rely on such a political solution.

"It depends on whether he is prepared to use the veto," said one observer. "The battle isn't finished."

Mr Murphy said he thought that several other EU members might also be prepared to exercise a veto at Council level. Luxembourg also has no withholding tax, and its MEPs have supported the British at Strasbourg.

**Relaunch as**

**BLMS gets**

**new chief**

BLMS, the fruit machines supplier formerly known as Bass Leisure Machine Services, will today announce the appointment of a new chairman and its formal relaunch as Leisure Link Group (Dominic Walsh writes).

The company, which was bought out from Bass for £70 million last summer by Duke Street Capital, has appointed Mike Foster, the former chief executive of the controversial entrepreneur pub chain, as its non-executive chairman.

Mr Foster, chairman of the Brewers & Licensed Retailers Association, has been recruited by Russell Hoyle, Leisure Link's chief executive. Mr Hoyle said: "This appointment positions Leisure Link as one of the key suppliers to the retail on-trade."

## Starbucks poaches property director from Arcadia

By FRASER NELSON

STARBUCKS, the £3 billion US coffee shop chain, has poached Arcadia's retail property director to spearhead its push into the UK.

Tim Morris, who manages the 1,600 stores in Arcadia's Burton-to-Top Shop portfolio, will join in March after working out his notice.

His job will be to scour the United Kingdom for sites to meet Starbucks' ambitious plans to expand its stores from 13 to 250 throughout the country within four years. It has 2,000 worldwide.

Scott Svenson, who became head of Starbucks UK after selling his Seattle Coffee Company for £49 million in April last year, said: "We're now building our team quite aggressively and we want to have completed it when we start expanding. Tim will be looking after the real estate side."

Although London is brimming with coffee shops, Mr

Svenson believes there is massive scope in Scotland and the North of England.

The 62 remaining Seattle Coffee Company shops are in the process of changing into Starbucks over the next few months.

Although Mr Morris has been with Arcadia since it was part of the Burton Group, he was not a main board director. Arcadia said he was part of a team of three that looked after the retail property side.

## DAEJAN HOLDINGS P.L.C.

### INTERIM STATEMENT

Results for the half year ended 31 September 1998 — unaudited

	6 months to 30.9.98	6 months to 30.9.97
	£'000	£'000
Net Rental Income	15,660	14,709
Surplus on Sale of Trading Properties	3,170	3,167
Other Income	123	379
Administration & Other Expenses	18,953	18,275
Operating Profit from Continuing Operations	16,383	15,666
Surplus on Sale of Investment Properties	281	1,005
Net Interest Payable	(4,047)	(3,741)
Profit on Ordinary Activities before Taxation	12,597	12,930
Less: Taxation	(3,625)	(3,850)
Minority Interests	(244)	(23)
Profit attributable to shareholders	£8,828	£9,057
Earnings Per Share	54.2p	55.6p

An interim dividend of 10p per share (1998 - 1997) will be paid on 13 April 1999 to shareholders registered on 5 February 1999. This dividend will also be paid to shareholders registered on 5 February 1999. The dividend will also be paid to shareholders registered on 5 February 1999. The dividend will also be paid to shareholders registered on 5 February 1999.

Answers from page 33

### CUNURA

(a) A very hard, heavy wood grown in Central America. It has a variegated grain appearing as streaks. It has a waxy feel, is dark brown and takes a polish. Hard to work. It can be used for cogs and decorative items, and as a substitute for Lignum Vitae.

### GONBAD

(c) A form of mausoleum architecture developed by and popular among Seljuk Turks in Iran, and carried into Iraq and Anatolia. Also called Turbe, or "tomb tower". It is a tower formed on a cylindrical base, and using the form of seljuk tents. By the 12th century a fashion came in of using square or polygonal bases.

### GUMBO

(a) An aromatic soup/stew. It is characteristic of the Creole cuisine of Louisiana, and combines African, American and European elements. The name is derived from Bantu for Okra, one of the typical ingredients, prized for giving body to the dish.

### UMIAK

(c) A boat used by Inuits from Greenland, and later Alaska, for transport. It is called the "woman's boat", as distinct from the Kayak, or men's hunting and fishing boat. It is made from seal or other animal skins strung over a wooden or whalebone frame. It is covered, whereas a Kayak is open.

### SOLUTION TO WINNING CHESS MOVE

1... Rd3! leaves White without a good reply as 2. Bxd3 Bxd3 wins easily.

**THE SUNDAY TIMES PRESENTS Valentine's Day**

IN ASSOCIATION WITH **tommy AND tommy girl**

The Sunday Times offers you the opportunity to place a Valentine's message in the paper on Sunday February 14th 1999. In addition we will send a 50ml bottle of tommygirl (RRP £25) or tommy (RRP £22) together with a note which reads "Look for your message in the Sunday Times on Valentine's Day". The cost is from £35 for a minimum 3 line message and a 50ml fragrance. Please indicate whether the male or female fragrance is required by ticking the relevant box below.

*The most romantic message published will win a romantic holiday for two...*

WRITE YOUR MESSAGE BELOW - ONE WORD PER BOX		No LINES	PRICE*
		1	£35
		2	£35
		3	£35
		4	£42
		5	£48
		6	£54

EACH SUBSEQUENT LINE WILL BE CHARGED AT £8.00 \*INCLUDES VAT

**YOUR DETAILS**

Name \_\_\_\_\_

Address \_\_\_\_\_

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# If you can beat them, why join them?

On the face of it, you wouldn't think that current events in Argentina could have much bearing on the key economic issue facing Britain, but they do. For several years, Argentina has maintained a rigid link between the peso and the dollar but now she is considering abandoning her currency altogether and simply adopting the dollar — so-called "dollarisation". At a stroke, the peso would disappear. There would be no exchange rate and no Argentine monetary policy. All prices would be held in dollars and purses. From a monetary standpoint, Argentina would become part of the United States. Now do you see Argentina is considering doing what Britain would do if she joined the euro.

In fact, there would be an even bolder step. For the countries of the eurozone pool their monetary sovereignty. Argentina would simply surrender hers. The difference lies in the fact that the countries of the eurozone have a say in monetary policy, and the European Central Bank (ECB) makes decisions in pursuit of their collective interests. Moreover, they share in the profits accruing from the issue of euro notes and coins. Argentina would enjoy neither of these advantages.

So why should she even consider such a step? Over the past 30 years the world has operated with a wide variety of different currency regimes. But in modern conditions, the choice seems to be collapsing to the two extremes — absolutely fixed exchange rates or floating ones. The myriad variations in between, such as adjustable pegs, crawling pegs, ERMs, and the like, are easily swept away in a torrent of market speculation.

The exchange-rate system that Argentina currently uses is the currency board, which is about the closest you can get to absolute rigidity of exchange rates, without quite having it. Under this system, which is also operative in Hong Kong, a country gives up all independent monetary policy. Its ability to issue notes is precisely limited by changes in its foreign currency reserves.

Compared with completely abandoning the domestic currency altogether, this has two economic advantages. First, the currency board makes a profit. Whereas the notes it issues carry no interest and are virtually costless to print, it earns interest on the foreign currency deposits and securities that it holds as reserves. Second, because the national currency still exists, the government retains the power to break the apparently fixed relationship, by either devaluing or floating.

But here is the supreme irony. If the market believes that a country may use that flexibility, then it will exact a price. In that case, the flexibility may not be worth having. This is Argentina's predicament. Despite the fact that it has stuck faithfully to the currency board system, because of its history the markets are still suspicious. Accordingly, interest rates have to be higher, even though pesos are free to interconvert with dollars at a fixed rate.

What to do? There is an argument for taking this nasty medicine and suffering, thereby demonstrating commitment to the markets in the hope that the interest rate premium that they demand will eventually fall. That is the route taken by Hong Kong.

Another option is simply to float the currency. That is the choice recently made by Brazil. But the danger for countries like Brazil and Argentina, with their histories of very high inflation and weak currencies, is that people simply take the float as a signal that, as in the past, the internal and external value of the currency are set to chase each other downwards. As a result, there is a severe risk of lapsing into hyperinflation. That is why the third option of giving up the national currency altogether deserves serious consideration.

What presents Argentina and



ROGER DOOLE

## Ministers disagree over £1bn air traffic sell-off

By ARTHUR LEATHLEY, AVIATION CORRESPONDENT

A DISPUTE has broken out between John Prescott and Gordon Brown over plans for a £1 billion sale of the air traffic control service.

The Chancellor is under pressure from the Deputy Prime Minister to delay the sale by up to two years to ensure that taxpayers obtain the best value from the disposal. Mr Brown is understood to be anxious to stage the sell-off next year, but he has been told that doubts over a new £475 million air traffic control centre are likely to reduce the value of the sale, possibly by half.

Mr Prescott fears that long-running problems over the new centre are likely to cut the sale price because of doubts among potential investors.

Whitehall officials suggest that delaying the sale until after the next general election, probably in 2002, would ensure a better price, coinciding with the expected opening of the new computerised centre, at Swanwick, Hampshire.

The Swanwick headquarters, originally scheduled to open in 1996, will house the world's most advanced computerised air traffic control system, but it has been beset by technical problems, which have caused a string of delays.

The sale of 51 per cent of the air traffic service, which handles 16 million flights a year over Britain, is the biggest sell-off proposed by ministers.

However, there are fears in the City and Whitehall that investors will not bid for the service unless given cast-iron assurances that the new centre will operate smoothly, and that taxpayers will pick up costs of failures.

Mr Prescott's worries about market value are particularly acute because Mr Brown has agreed that sale proceeds will be earmarked for transport

projects. Mr Prescott is said to be alarmed by the risk of a "dud" sale hitting his transport plans. His fears follow National Audit Office criticism of the transport department for costing taxpayers up to £1.5 billion in the Conservative Government's rushed sale of Railtrack.

The Institute of Actuaries says that ministers must give details of risks attached to the new centre if taxpayers are to get "value for money". Chris Lewin, chairman of its corporate finance committee, said: "There is a lot of information about certain risks of the new centre, but it is not very clear how much of those risks would impact on shareholders. It is unreasonable to expect investors to pick up the burden of problems caused by the public sector."

Ministers plan to publish a draft Bill within months to permit a sell-off, but John Reid, Transport Minister, has suggested that the sale could be delayed by two years to get "a better value on the stock market".

"The Civil Aviation Authority wants a swift partial sale because, it says, £100 million a year needs to be invested in air traffic control."



John Prescott fears "dud" sale of air traffic control service

## British Steel seeks action on dumped imports

By CHRISTINE BUCKLEY, INDUSTRIAL CORRESPONDENT

BRITISH STEEL will this week step up pressure on the Government over cheap steel imports flooding into the UK. It will warn MPs that dumping of underpriced steel by countries such as Bulgaria, India, South Africa and Taiwan is jeopardising British jobs.

The company is already cutting up to 12,000 jobs to try to make its steel more competitive as it attempts to combat sterling's strength and fallout from Asia's economic crisis. Its call for action comes after a protest about steel imports to the Department of Trade and Industry by 28 local authorities representing steel producing areas.

The European Commission has begun anti-dumping investigations. British Steel has urged the ECU to put pressure on the Commission.

British Steel will also tell MPs that a carbon energy tax would imperil its competitiveness and threaten jobs. It will say that its position is further threatened because four of its main competitors — steel producers in China, Brazil, India and South Korea — are outside the Kyoto agreement on greenhouse gas reductions.

City analysts last week began raising estimates of British Steel's losses. The group is expected to be in the red by as much as £200 million for its year to March after being battered by sterling's strength and falling steel prices in Europe. However, prices are thought to have flattened now. More details on job losses are expected soon from Avonmouth, Sheffield and the troubled stainless steel plant in which British Steel has a majority stake.

## Insurer pens policy to cover songwriters

By CHRIS AYRES

LORD LLOYD-WEBBER may not have to worry about legal actions over the authorship of his work any more. A specialist insurance company, Robertson Taylor, has launched a new policy for famous songwriters who fear being sued for plagiarism.

The policy, brought out to coincide with the opening of the music industry's annual Midem exhibition in Cannes, is designed to cover the back-catalogues of well known songwriters against a rapidly rising number of plagiarism claims.

The increase in litigation has been blamed partly on modern musical methods such as "sampling", where clips from old records are cut together to create new songs. Many record companies refuse to take any responsibility for plagiarism, leaving individual songwriters to fight their own cases.

The launch of the policy follows complaints by some of Britain's leading songwriters — including Sir Tim Rice, Sir Elton John, Sting, Phil Collins and Mick Jagger — that the right to legal defence for the theft of a piece of music is being abused.



Sting claims law is abused

They claim that famous songwriters often settle even ludicrous claims because of the enormous costs involved in fighting a legal battle. The most recent case came when a virtually unknown American

musician, Ray Repp, accused Lord Lloyd-Webber of basing the theme to *Phantom of the Opera* on his 1978 song, *Till You*. Although Lord Lloyd-Webber successfully defended the action, the eight-year case cost him an estimated £1.4 million in legal fees.

Artists ranging from Garth Brooks, the country star, to Massive Attack, the ultra-trendy dance group, have also recently faced plagiarism claims. John Silecock, managing director of Robertson Taylor, said: "We have a lot of interest in this policy already, and to my knowledge it's the first of its kind."

He added that the policy had been devised with the help of Peter Oxendale, a leading musicologist. However, Mr Silecock said his company would not carry out its own checks for plagiarism on a songwriter's back catalogue before selling a policy. He refused to name interested clients. "A clause of the policy is that the existence of the policy is not disclosed," he said.

## Businesses lift spending on arts to £115m a year

By JASON NISSE

BRITISH businesses spent more than £115 million on sponsorship and other partnership with arts organisations in the year to last September, figures released today will show.

The spending is up by nearly £20 million on the previous year's figures and represents a 24 per cent leap in corporate sponsorship of arts events, such as the Monet exhibition now on at the Royal Academy with backing from Ernst & Young, the accountancy firm.

Figures released by the Association for Business Sponsor-

ship of the Arts (ABSA) in its annual report show that corporate activity is rising in almost all areas of the arts.

Corporate sponsorship rose from £51.3 million to £63.4 million, with BT, Orange and Ernst & Young among firms leading the way. Sponsorship of capital projects, such as EDS's backing of the Lowry Centre in Manchester rose from £16.9 million to £19.4 million. Much of this rise has been through projects begun in tandem with National Lottery Heritage Fund grants.

Corporate donations also rose sharply, from £6 million to £9 million.

London continues to win the lion's share of money coming from corporations, receiving a total of £48.5 million. In second place, and far behind, was Scotland, with £11.3 million.

Colin Tweedy, chief executive of the ABSA, said: "Despite the threat of recession, the corporate sector is continuing to recognise that the arts are relevant to business."

Artistic licensing, page 46

## Scottish Equitable rises

By CHRIS AYRES

SCOTTISH EQUITABLE, the Edinburgh pensions and investment company, yesterday said that it had enjoyed a 21 per cent rise in new premiums to £2.1 billion during 1998.

The results came as the company started its restructuring into three divisions: pensions and investments, asset man-

agement and international holdings. The restructured company will trade under the name of Argon UK.

Total annualised premiums income rose 19 per cent to £373 million, and new annual premiums rose 11 per cent to £179 million. New single premium rose 28 per cent to £1.9 billion.

David Henderson, Scottish Equitable's chief executive, said: "Significant growth from the raised platform we set ourselves from last year was always going to be a challenge and I am delighted with the results." He added that the company's pensions business had continued to deliver outstanding growth. "I am still very bullish on the prospects for further growth through this route," he said.

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283	74	2,240	100	1	2	8.2	7.1	485	164	8,005	200	1	2	8.2	7.1
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# Monet makes the world go round for galleries

Kimberly McDonald reports  
on the growing commercial  
exploitation of artistic licensing

An unprecedented throng of visitors descended upon the Royal Academy last week for the opening of its Monet exhibition and the chance to bask in the vitality of Impressionist paintings, to savour the fusion of light in Monet's water-lily pictures and, of course, to buy a nifty Monet refrigerator magnet for £2.95.

For museums, merchandising has become big business. While the art purists dine on the aesthetic feast that is Monet, the tills at the Academy ring merrily from sales of everything from beginner paint sets for children to jewellery and ceramics. But the need to generate revenues outside the building has spawned a growing interest in art licensing. After all, who could have guessed that the Royal couple Victoria and Albert could end up alongside Coca-Cola as a lucrative and exploitable brand name? Or that John Lennon's whimsical drawings of animals and celestial objects would grace baby's bottoms around the world?

What was once considered a déclassé function that diluted cultural value is increasingly being seen as a vital part of how artists across the globe and Britain's public museums make up for diminishing funding.

Keeping London's museums and art galleries going costs the taxpayer approaching £200 million a year. The Victoria & Albert museum, by general consent the world's finest display of decorative art and design, has been allocated some £29 million for the current year but is losing about £1 million a year in government funding. The British Museum gets £33 million and the Science Museum £20 million. The Royal Academy is hoping that Monet mania will clear its £500,000 debts. All are under pressure to find alternative funds.

Last year V&A Enterprises, the museum's trading arm, handed over £950,000 in profits to the museum, a 25 per cent rise on the previous year. Its income from licensing ventures rose 87

per cent. Those sorts of numbers are hard to ignore. And as government funding continues to dwindle, most industry executives admit that further commercialisation is inevitable. "Even if you wanted to turn back time to the days when museums were only about the artistic experience, you'd be living a pipe dream," said Michael Cass, president of V&A Enterprises.

At present V&A, the most aggressive in its commercial pursuits, has some 97 licences. Nearly half are in North America but they span 17 other countries. In Britain the V&A label has attracted companies such as Colefax and Fowler (furnishings), Dorma (bedlinen), Coats Viscella (clothing), Ryallux (carpets) and Fired Earth (paints).

Last year, Marks & Spencer promoted the V&A name in preference to its own ubiquitous St Michael for the first time on a range of lingerie, nighties and toiletries. Others to try commercial pursuits include the National Trust, in interior decoration, the Tate and Pret A Manger, collaborating on the Cézanne lunch, and the British Museum with its Heathrow shop.

Britain's move picks up on a trend that has been gathering steam in America for several years. US art licensing revenues rose 3 per cent last year to \$5.4 billion (about £3.2 billion).

William Carter, the 134-year-old manufacturer of baby apparel, now owned by Investcorp, recently paid an undisclosed amount for permission to use Lennon's drawings on its pastel-onesie pyjamas, bedding, wallpaper, and other products for newborns to six-year-olds. Lennon is said to have come up with the drawings to help to teach his son, Sean, to read.

With corporate brands responsible for the single biggest segment of licensing, American museum executives expect more collaborations between corporations and artists.

Other estates to profit from art licensing include those of Miles Davis, Frank Sinatra,



Revenue is rising from commercial spin-offs during events such as the Monet exhibition

Jim Hendrix, Pablo Picasso and Andy Warhol. The art winds up on neckties, coffee cups and T-shirts among other products. "Britons are catching up fast with their American brothers and sisters with exploiting art and the institutions," said Geoffrey Matthews, managing director of The National Gallery Publications.

The V&A's commercial success has inspired others to take on similar projects. The National Gallery is negotiating a print poster licence and plans to get into greeting cards, according to Matthews. The challenge, however, is to not devalue the

museum's brand or objects in the process. These days, acknowledging the extent to which culture has been commodified almost inevitably leads to a discussion about "dumbing down". It is said to undermine expectations of cultural activities and subvert the quality of experience that they provide.

Now that debate has included the notion that licensing can be tastefully done if museums are selective in the types of products to which they lend their name. The way in which the original work is interpreted in a product matters too. "You must get the mix right so as to create

an aura of quality," said Cass. "Licensing has gained a certain amount of legitimacy, away from what artists thought of as a schlocky sort of mercenary, low-rent usage of art, toward becoming part of a life style," said Martin Brodstein, executive editor of *The Licensing Letter*, an industry newsletter in the US.

And while Picasso T-shirt and mug-mania continues its upward trajectory in the US, museum executives remain convinced that the British ethos will not allow the commercialisation of art to reach the same level here. "What's going on in America is regarded as a bit tacky," said Andrew Morris, managing director of the Business Design Centre. "There's still a strong belief in Britain that originality should be preserved and cherished and not demanded."

"The mass merchandising in the US is more extreme because there is less government support of the arts and culturally there are fewer inhibitions about commercial exploitation. We still have a bit more reserve in the matter," said Cass.

Britain's voracious appetite for pure, unadulterated art was proved this week by the response to the Monet in the 20th Century exhibition. The Royal Academy said it had pre-sold a record 157,000 timed-tickets in an effort to control crowds once the exhibition is open to the public, at a record £9.

Though some art institutions are showing a willingness to dabble in the commercial world, no individual British artist has touched that ground. But even art purists will not rule out the possibility. "I certainly couldn't say it would never happen, especially given the Americanisation of the UK," said Morris.

In America, artists came to regard licensing in a less negative light in part because museums helped to fuel an industry of posters, greeting cards and other take-home products generated by retrospectives and other shows of important art—the very same thing that is happening now in Britain.

## The fascism in farming

Against the Grain

BBC2, 7.30pm

The rumbustious Oliver Walton has spent much of his polemic on the state of British farming denouncing the "crazy" common agricultural policy and advocating the abolition of all farm subsidies. In his first programme he plays bad guy again, mounting a sturdy defence of the use of agrochemicals and a blistering attack on campaigners against genetically engineered crops. He even, in his disarming way, calls the protesters who dig up such crops fascists, though some may feel that Walton is a bit of a fascist himself. But although he enjoys giving offence, he is a superb television presenter: witty, fluent, controversial and with a gift for the telling phrase. He also, though many of his fellow farmers will be appalled by what he says, speaks from a genuine love of farming.

Raising the Roof

BBC2, 8.00pm

Your walls seem wet, you call in a company to look at them and it tells you that you have rising damp requiring expensive treatment. But according to this latest investigation into the housing business, such firms are either speaking in ignorance or tooting for unnecessary work. According to Mike Parrett, a surveyor with a London council, damp is more likely to be caused by blocked drains of water running over ten years. Parrett has tested more than 1,000 properties and says that he has not found a single true case of rising damp. Another expert says bluntly that rising damp is a myth. But tell that to the trade. Ten companies, including household names, are called to a house with damp walls, but nothing more, and asked their advice. Nine claim to find rising damp and they quote up to £5,000 for putting it right.

Dad

BBC1, 8.30pm

Having recently labelled this sitcom as gentle and inoffensive, we must apply a touch of revisionism. For tonight's episode is about sex. Admittedly it is not the most risqué of sitcoms, but this does not prevent it being discussed with an openness that some may feel excessive before the nine o'clock



Oliver Walton meets Helen Browning, an organic farmer (BBC2, 7.30pm)

watershed. Or perhaps this is being too stuffy and explicit or, not, Andrew Marshall's script takes a simple comic premise and develops it splendidly. Alan's paranoia is fed on two fronts. He is convinced on the one hand that George Cole is secretly carrying on with a widow and he is agitated to discover that son Vincent (Toby-Ross Bryant) has brought not one but two girls home for the night. An extension of the joke is that while Alan is quick to see sexual excess in others, his own performance in that department is decidedly lacking.

Mayday

Channel 4, 9.00pm

After exploring most of the other causes of shipping disasters, *Mayday* concludes by looking at those that can be attributed to faults in design. It is the cue for recalling, among others, the fate of the *Donna Paz*, a passenger ferry which sank off the Philippines with the loss of more than 5,000 lives, and more famous to British viewers, the *Herald of Free Enterprise* tragedy. Passenger ferries, it is suggested, are unusually accident-prone because of their vulnerability to sudden capsizing once water enters the car deck. The programme also considers the design hazards of bulk carriers, of which the *Eschscholtz* was one, that sank in the past seven years. The first-hand testimony of survivors forms a poignant adjunct to the dispassionate inquiries of the safety experts. Peter Waymark

### RADIO CHOICE

Afternoon Play: Dead Men Tell No Tales  
Radio 4, 2.15pm

The title of this *Afternoon Play* is ironic, as we learn early on. It died on August 3 some 50 years ago in a cramped room in a furnished lodging house... The words are those of Olivier Reccille (Michael Malone), who is featured in the central story in this clever and enjoyable comedy, by Kelvin Segger, of three Emile Zola stories into one play. The themes are death, and obsession, and a story, in particular, finds an echo in all our nightmares: taken ill in Paris, he awakes to hear people planning his funeral. He can neither move nor speak so he is helpless to intervene when the coffin lid is nailed down above him. The other two stories star Robin Bowerman, Sumy Oronode and Terry Molloy.

RADIO 1 (BBC)

6.30am Zoe Ball 6.50am Simon Mayo 12.00pm Kevin Greening 2.00pm Mark Radcliffe 4.00pm Chris Moyles 5.45pm Newsbeat 6.30pm The Evening News 7.30pm The Breakfast Show 8.00pm The Breakfast Show 8.30pm The Breakfast Show 9.00pm The Breakfast Show 9.30pm The Breakfast Show 10.00pm The Breakfast Show 10.30pm The Breakfast Show 11.00pm The Breakfast Show 11.30pm The Breakfast Show 12.00pm The Breakfast Show 12.30pm The Breakfast Show 1.00pm The Breakfast Show 1.30pm The Breakfast Show 2.00pm The Breakfast Show 2.30pm The Breakfast Show 3.00pm The Breakfast Show 3.30pm The Breakfast Show 4.00pm The Breakfast Show 4.30pm The Breakfast Show 5.00pm The Breakfast Show 5.30pm The Breakfast Show 6.00pm The Breakfast Show 6.30pm The Breakfast Show 7.00pm The Breakfast Show 7.30pm The Breakfast Show 8.00pm The Breakfast Show 8.30pm The Breakfast Show 9.00pm The Breakfast Show 9.30pm The Breakfast Show 10.00pm The Breakfast Show 10.30pm The Breakfast Show 11.00pm The Breakfast Show 11.30pm The 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# Absurd plot but ideas developed nicely

I was certainly not the only critic with serious reservations about Stephen Poliakoff's *Shooting The Past* (BBC2), which slammed its way to some sort of resolution last night. But I confess I was a little startled by the degree of admiration this enigmatic three-part series elicited from many who saw it, including friends whose judgements I usually trust.

I began to feel a little churlish, especially since, on reflection, I could think of few, if any, dramatists since Dennis Potter who attempt to use television in such an original and provocative way. Poliakoff still thinks television can be a grown-up art form, tackling radical questions about art, culture, life, the Universe and everything. He is an heir to the tradition of Huw Wheldon, and I suppose we should be grateful for that alone.

And it was partly because Poliakoff carries this torch that I found the first episode so exasper-

ating. The play kept assaulting my credulity, throwing up fences too high to jump. Why were the new American owners of the picture library only corresponding about their plans to sell the collection, close down the business and redesign the interior of the historic building it was housed in, with one member of the staff there, who wasn't even in overall control?

Why had Oswald Bates hidden this correspondence from his colleagues? How did this outfit get permission to rip out the ornate interior of what was obviously a listed building? (If it wasn't meant to be that special, why film it at Ham House?) Did no architects or designers visit the place to plan this refit or were they just going to make it up as they went along? Why didn't Marilyn Truman hit the phone as soon as the Americans arrived?

I won't bother you with more of these questions, but there were

dozens of them, and none got proper answers. I spent the whole first episode balking at things, and balking seriously interferes with suspension of disbelief.

Oh well, it is art, I suppose, not to be taken too literally, and this was, philosophically, an ambitious piece. Poliakoff was articulating several thematic strands, each one admirable in its way. There was the inherent wonder of the photographic archive seen as an almost magical repository of truths about human experience, an inexhaustible mine of unexpected connections and revelations. Last night the collection revealed to the American businessman Christopher Anderson (Liam Cunningham) that his grandmother was a promiscuous, drug-abusing probable murderer, for instance. Balk. Excuse me. It's a metaphor. We all have something dark in our past, apparently.



Paul Hoggart

There is the cultural vandalism of accountancy-driven planning which knows the price of everything and the value of nothing. Hardly original, and I wish he had not embodied this process in crassly caricatured Americans. The home-grown version sweeping our public services is much more insidious and rather more relevant to this situation. But Poliakoff knows that. It was the Birdan

Reeb that flogged the Hulton collection; hard-headed Americans bought it. Still, the general point is worth repeating.

Then came the psychological effects of redundancy, forced redeployment, downsizing, constructive dismissal. Above all, the question of the failure of homogenised "human resources" management used to recognise idiosyncratic talent or wayward genius, let alone value it. All this was grippingly captured in Timothy Spall's Oswald, whose lightning lateral mind and literary phobia graphic memory could pick out the same face reappearing in scraps separated by decades and thousands of miles. Balk. Oopsy, sorry.

other, playing games with the audience's expectations. But intense emotion creeps up unexpectedly, about things we don't normally find particularly moving.

He elicits riveting performances (Lindsay Duncan was spellbinding). The slow, atmospheric direction is hypnotic. When he does not drift into absurdity, nothing touches the quality of his writing. If only I could stop that balking.

It is an unbreakable rule of costume drama that the stately homes of the aristocracy are bathed in brilliant, gleaming light, despite being lit only by candles; whereas big cities are shrouded in perpetual darkness. In the first of the *Scarlet Pimpernel* (BBC1) films, last night, Revolutionary Paris appeared to be going through some kind of nuclear winter.

At least there is no need to worry about balking. This is pure corn-fed escapism nonsense. The pre-publicity tells us that "that damned elusive Pimpernel" is an 18th-century James Bond, a point echoed in the incidental music. He even had the miniature secret agent's gadget kit concealed about his person. There's a dash of Biggles, and since the saviour of the French aristocracy acts the effete but witty lord, a dollop of Oscar Wilde. Richard E. Grant obviously loves every minute. And with one bound our hero was free of anything resembling the pretensions.

But then life is easier if you don't think too much about certain matters. Such as whether your hamster feels shame, or the goldfish is clinically depressed. *Do Animals Have Emotions?*, the second in the *Animal Minds* series (BBC2), explained that baboons get stressed-related ulcers, macaws get jealous and chickens don't like standing on wire mesh. I swear I saw the cat balking at the television.

- BBC1**
- 6.00am Business Breakfast (32322)  
7.00 BBC Breakfast News (78661)  
9.00 Kibbo (7810729)  
9.45 The Vanessa Show (7873068)  
10.55 News: Regional News; Weather (7842293)  
11.00 Real Roads (7852670)  
11.25 Car! Cook, Won't Cook (7839729)  
11.55 News: Regional News; Weather (7855125)  
12.00pm Call My Bluff (49090)  
12.30 Wipeout (3104670)  
12.55 The Weather Show (7859622)  
1.00 One O'Clock News; Weather (783038)  
1.30 Regional News; Weather (8634322)  
1.40 Neighbours (78523545)  
2.05 Inside (7818019)  
2.55 Body Spies New series. Daily programme following the efforts of keep-fit marshals to stick to new year resolutions. (530470)  
3.25 Children's BBC: Playdays (1574354)  
3.45 The Littlest Pet Shop (8718477)  
3.55 Badger and Badger (8220767) 4.00 Pocket Dragon Adventures (8672477)  
4.15 Rugrats (1119800) 4.35 Miffy Cuts (1183361) 5.00 Newsround (5105080)  
5.15 Blue Peter (2445545)  
5.35 Neighbours (7852354)  
5.55 One O'Clock News; Weather (783038)  
6.00 Regional News; Weather (783038)  
7.00 The Year in Your Life (783038)  
7.30 Watchdog Healthcheck Report on drugs available via the Internet without a prescription (783038)  
8.00 EastEnders: Grant fights to clear his name (783038)  
8.30 **Dead Man** (783038) Only member of the family missing out on a healthy sex life. Comedy, starring George Cole and Kevin McNally (783038)  
9.00 Nine O'Clock News; Regional News; Weather (783038)  
9.30 Paddlington: Green Aspiring restaurateur Samer Vassant begins to launch his healthiest (a low-calorie) opening, off approaches, and the builders left behind schedule (783038)  
9.45 **Phantom**: Investigation into the planning blots in cases of food poisoning (783038)  
10.00 Match of the Day Highlights of Oxford United v Chelsea in the FA Cup (783038)  
11.25 By the Sword (1991) Pontifex, an ex-fencing champion (F. Murray Abraham) starts work as caretaker at a sword-fighting academy run by the son of a man he killed in a duel. Directed by Jeremy Paul Kagan (783038)  
12.50am Weather (783038)  
12.55 BBC News 24 (84823713)

- BBC2**
- 7.00am Children's BBC Breakfast News: The Family News (3544467) 7.05 Teletubbies (2678564) 7.30 Secret Squirrel and Co (3557466) 7.55 Blue Peter (2671038) 8.00 Taz-Mania (8501816) 8.40 Polka Dot Shorts (8503039) 9.00 Pompadour (8503039) 9.10 Pompadour (8503039) 9.20 Pompadour (8503039) 9.30 Pompadour (8503039) 9.40 Pompadour (8503039) 9.50 Pompadour (8503039) 10.00 Children's BBC: Teletubbies (2678564) 10.30 Pompadour (8503039) 10.40 Pompadour (8503039) 10.50 Pompadour (8503039) 11.00 Look and Read (1104854) 11.20 Zig Zag (8121835) 11.40 Landmarks (3386332) 12.05pm History File (4155832) 12.30 Working Lunch (89108)  
1.00 Children's BBC: Remond the Reindeer (78314274)  
1.10 The Great Picture Chase Buying works of art (782210038)  
1.40 The Arts and Crafts Show Making a stained glass (6504038)  
2.10 Sporting Greats With Alan Ball (22850212)  
2.40 News: Weather (783038)  
2.45 Match of the Day With Geoff Hurst (215) (7821926)  
3.25 News: Weather (783038)  
3.30 The Face on the Milk Carton (TVM 1989) Moving drama about an adopted student who sets out to find his biological parents. With Kellie Martin. Directed by Wally Pfister (783038)  
5.00 Tennis: Australian Open. The start of the second week (4011)  
6.00 The Simpsons (7854670)  
6.20 The Simpsons (7854670)  
6.45 Mr. Bean or Maybe (7854670)  
7.00 Britannia Tom McIndrick tells the story of the Royal Navy (783038)  
7.30 **Against the Grain** Controversial farmer Oliver Weldon concludes his hard-headed analysis of British agriculture with a look at the future of the industry (783038)  
8.00 **Relating the Roof** Paul Keryon discovers that rising damp may be little more than a myth (215) (783038)  
8.30 Food and Drink Rick Stein creates a seafood recipe and Antony Worrall Thompson warns up with venison chat (783038)  
9.00 Red Dwarf (783038)  
9.30 League of Gentlemen (783038)  
10.00 The Fast Show Comedy sketch show (783038)  
10.30 Newsnight With Jeremy Paxman (783038)  
11.15 A Place of Safety (852767)  
11.55 Weather (545059)  
12.00am Despatch Box Political news (35133)  
12.30 BBC Learning Zone

- BBC3**
- 5.30am ITN Morning News (78212)  
6.00am ITN (843384)  
6.25 Thriller (7820126)  
10.30 This Morning (78487835)  
12.15pm ITN News and Weather (783038)  
12.30 ITN Lunchtime News; Weather (783038)  
1.00 Shortland Street (73108)  
1.30 Home and Away (78503)  
2.00 The Jerry Springer Show (7850309)  
2.45 Dale's Supermarket Sweep (783038)  
3.15 ITN News Headlines (7820380)  
3.30 ITN News (7827293)  
3.35 CITY: MotoGP's Shop (2617818) 3.35 Kipper (8180303) 4.45 The Adventures of Captain Pugwash (8148274) 4.00 Oogy and the Cockroaches (433011) 4.20 It's a Mystery (2338831) 4.45 Sabrina the Teenage Witch (1582941)  
5.10 WEST: Painting Wild Wales (783038)  
5.10 WALES: Money Spinners (783038)  
5.40 ITN Early Evening News; Weather (783038)  
6.00 Home and Away (78503)  
6.25 WEST: HTV Weather (783038)  
6.25 WALES: Wales Tonight (783038)  
6.30 WEST: The West Tonight (783038)  
6.55 HTV Wales Tonight (783038)  
7.00 Wales You Were Here: The quiet side of Majorca, a cruise around the French and Italian Riviera and clubbing in Rimini (783038)  
7.30 Coronation Street The Websters' feud intensifies (783038)  
8.00 Trauma Team Staff nurse Peter McGinnis arrives in A&E as a patient, while the animal handler whose arm was bitten off by a tiger roars in at the media attention (783038)  
8.30 Carol Vorderman's Better Homes The DIY teams visit Halifax (410) (783038)  
9.00 The Vice Part Two Charyl hits a brick wall in his search for rent boy Brendan, believing his parents are hiding vital information about his past (410) (783038)  
10.00 News at Ten; Weather (783038)  
10.30 HTV News and Weather (783038)  
10.40 News Bridges (783038)  
11.40 Midweek Catch (783038)  
12.00am Football: Premier League Highlights (833882)  
1.00 World Football International soccer (783038)  
2.10 Son of Dracula (1943) Atmospheric chiller in which the count visits America's Deep South in search of fresh blood. Lon Chaney Jr stars. Directed by Robert Siodmak (783038)  
3.40 Trisha Strong (783038)  
4.40 TV Nightscreen (3419551)  
5.00 Coronation Street (783038)

- As HTV West except:**
- 12.20-12.30pm Central News (8619651)  
1.00 High Road (73108)  
1.30 The Jerry Springer Show (8648108)  
2.15-2.45 Home and Away (8648108)  
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**PESO LINK 45**  
Roger Bootle  
on lessons from  
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# BUSINESS

CASHCOW 46

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BUSINESS EDITOR Patience Wheatcroft

MONDAY JANUARY 25 1999

## Plans to overhaul electricity pool in jeopardy

BY CHRISTINE BUCKLEY  
INDUSTRIAL CORRESPONDENT

GOVERNMENT plans to overhaul the electricity marketplace — a pivotal part of the Energy White Paper — are in trouble and unlikely to meet next year's deadline.

Without a reform of the controversial electricity "pool", the Gov-

ernment will be forced to maintain its *de facto* ban on new gas-fired power stations. This will increase generators who are already frustrated at the stranglehold an expansion plans.

Last October Peter Mandelson, then Trade and Industry Secretary, ordered the pool to be scrapped and new gas stations to be effectively

banned to make the energy market fairer for coal. His Energy White Paper followed a year of crisis for RJB Mining, the biggest producer, after the expiry of government contracts.

Tomorrow John Battle, Energy Minister, will be told by power companies and advisers on pool reform that the deadline of April next year

is impossible. He will also be told that legislation will be necessary because all the parties involved in the pool are unlikely to endorse reform.

The Government has no legislative slot for pool reform. It may hope to insert it into a Bill on utility regulation, although there is no time booked for that Bill.

On top of the impasse hit by the reform programme, there are growing fears about a legal minefield when power companies are forced to unravel long-term contracts linked to pool prices.

These widely used "contracts for differences" are tied to prevailing pool prices. When there is no such thing, lawyers have said that dis-

manting the contracts will be highly problematic.

The Government will replace the pool, in which generators bid in prices and are paid partly according to the power stations they can run, with bilateral contracts.

This could raise the risk of supply failures because the process

will not be centralised. The pool was created, primarily, to ensure that the lights stay on.

Tomorrow's meeting between Mr Battle, the industry, pool advisers and consumers' groups is the first cross-interest one he has called — more than three months after the White Paper. Some key groups have not met at all yet.

## Blank wants Mirror to fire Montgomery

BY RAYMOND SNODDY, MEDIA EDITOR

SIR VICTOR BLANK, chairman of Mirror Group, is to put a formal motion for the removal of his chief executive, David Montgomery, at a board meeting tomorrow.

Sir Victor will claim that Mr Montgomery, who has run the newspaper group for more than six years, has lost the confidence of the non-executive directors. However, it is not clear if all the non-executives, who include Sonia Land, Lord Borrie and Alan Clements share this view.

Indeed, Mr Clements, who is deputy chairman of Mirror, is planning to raise questions about the way that Sir Victor has been conducting the negotiations with the two bidders circling Mirror, Regional Independent Media and Trinity.

Mr Clements raised a number of questions about Sir Victor's behaviour in a meeting with non-executive directors last week. One of the complaints is that Sir Victor did not inform a Mirror board meeting on January 11 that the previous day he had been telephoned by Sir Norman

Fowler, chairman of RIM requesting a meeting.

At a meeting on January 15 Sir Norman handed over a written offer proposal. A document produced by Mr Clements also questions whether Sir Victor met Mirror shareholders without advisers present — something that should not happen during an offer period.

Sir Victor will claim that shareholders speaking for at least 35 per cent, including the Mirror's largest shareholder Phillips & Drew, the fund manager, agree with his move. Some shareholders have said that they may call an extraordinary meeting to oust Mr Montgomery if he refuses to resign.

The acrimonious dispute at the heart of the Mirror board is coming to a head while a 200p share cash offer worth £103 million is on the table from Regional Independent Media, publisher of the Yorkshire Post.

Events are being watched closely by Trinity, the UK's largest regional newspaper group, which offered an all-share deal worth about 160p a share. It then pulled out of talks.

RIM has made it clear that it is likely to submit a higher offer for Mirror but only after much fuller disclosure of information — something that has yet to happen. City analysts have put a 25p price tag on Mirror. Any removal of Mr Montgomery will be viewed as a negative by RIM, which fears being shut out of the deal.



Michael Hardern, left, king of the carpetbaggers, has a new adversary in Martin Bell, MP and former war correspondent

## Bell takes on carpetbaggers

BY SUSAN EMMETT

MICHAEL HARDERN, the freelance bunter leading the attempts to turn Britain's building societies into banks, has a new adversary. Martin Bell, the white-suited MP for Totton, has embarked on a crusade to save mutuals from conversion and called on MPs to declare their building society accounts on the register of members' interests.

The anti-sleaze campaigner targeted carpetbaggers by stating that windfall

payments should not be part of the conversion vote process.

Although notorious carpetbaggers such as Mr Hardern would be in the first line of fire, Mr Bell's proposals could also draw attention to MPs who might have a vested interest in the mutualisation debate.

However, Mr Bell has yet to reveal whether he holds any building society accounts. Building societies based near his Cheshire constituency include the Cheshire, the Manchester, the Marsden and the Vernon.

Bob Goodall who co-ordinates the Save Our Building Societies campaign, said: "It's obvious that if an MP had something to hide he would not introduce the subject as public debate."

Mr Bell, the former BBC war correspondent, said that building society votes could only be truly democratic if the windfall element was removed.

Mr Bell said that he was "concerned that votes for conversion are backed up with what can only be described as a bribe".

## BP to exploit Mobil barrier

BY CARL MORTIMER  
INTERNATIONAL  
BUSINESS EDITOR

BP AMOCO looks set to take advantage of a European competition barrier to Exxon's plans to merge with Mobil by striking a deal to gain control of refining businesses worth about £3 billion.

BP has a joint venture with Mobil in Europe and the most likely result of the complex situation is that BP could buy all of Mobil's downstream assets so that the deal with Exxon can go through. The BP Mobil joint venture has already brought savings of about £500 million in their joint operations.

The US Federal Trade Commission has requested a mountain of further information from Exxon which has yet to file its agreement to take over Mobil with the European Commission. However, the European competition regulator said it had already been in contact with Exxon.

The market is worried that the Exxon/Mobil deal will trip up at the starting blocks. Mobil's share price is at an 8 per cent discount to its implied value on the Exxon merger terms.

Rodney Chase, BP's deputy chief executive, said that BP was confident about the outcome of negotiations with Exxon/Mobil. "They wish to conclude a merger. We are keen to help them to do so."

According to Wood Mackenzie, the consultants, the £3 billion BP/Mobil European oil products venture has a market share of 10.6 per cent. Adding Exxon's European downstream assets would create a petrol and lubricants behemoth with over 20 per cent of the European market.

Greens campaign, page 44

## Maxwell policy could lead to £50m boost

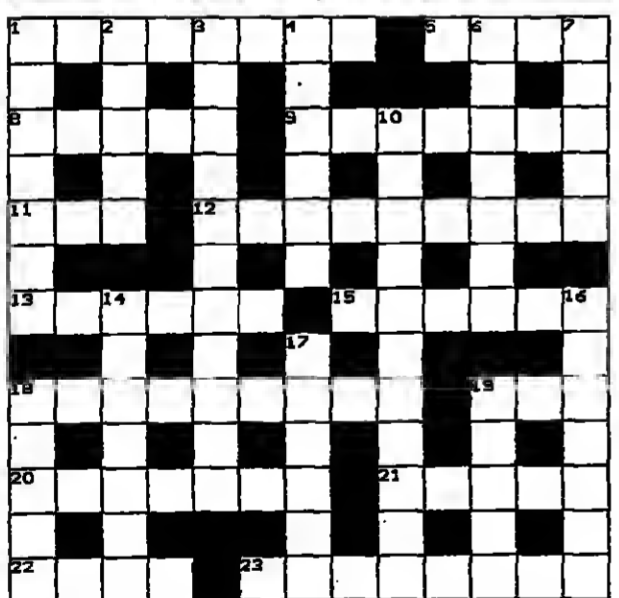
MIRROR GROUP could gain up to £50 million from the settlement of an insurance claim brought by it, the Maxwell pension funds and Maxwell Communication Corporation over the disappearance of more than £500 million in the months before and after Robert Maxwell's death in 1991 (Jason Nisbet writes).

The two former Maxwell companies, and their pension funds, are claiming under a fraud policy, but the insurers

say that if there was fraud, Robert Maxwell, who signed the policy, would have known it was being perpetrated and that this invalidates the claim.

Lord Hard of Westwell, the former Foreign Secretary, is to arbitrate on the case at a meeting due to start next week. If he rules against the insurers, Mirror would benefit in its own right and also because it helped to meet pension fund shortfalls and so has first claim on recoveries.

## TIMES TWO CROSSWORD



No 1623

## ACROSS

- 1 Clothes cupboard (8)
- 2 Lyric poems (4)
- 3 Non-conformist (5)
- 4 Interrupter, mess up (7)
- 5 Child; little drink (3)
- 6 (Fr. king's) scarlet banner (9)
- 7 Well-behaved (6)
- 8 (Genetic) cross (6)
- 9 Quilled creature (9)
- 10 Coat of eg 7 down (3)
- 11 Mountaineer (7)
- 12 Eating implement (5)
- 13 Long, heroic tale (4)
- 14 (Sole) in butter, lemon, parsley (8)

## DOWN

- 1 (Eg kitchen) surface (7)
- 2 Disprove (alliteration) (5)
- 3 Empirical guide (4,2,5)
- 4 Blunt needle (6)
- 5 Percussion player (7)
- 6 (Brown) martens black (5)
- 7 Period short of news (5,6)
- 8 Lying in wait; in the background (7)
- 9 Send mad (7)
- 10 Transfix (6)
- 11 Steps (5)
- 12 Was very cold; stopped moving (5)

## SOLUTION TO NO 1622

ACROSS: 1 As bold as brass; 8 Thistle; 9 Chafe; 10 Fog; 11 Register; 13 Costly; 14 Tissue; 17 Pince-nez; 19 Dam; 21 Mafia; 22 Seducer; 24 Stratospheric.  
DOWN: 1 Artefact; 2 Bridges; 3 Let 4 Avenue; 5 Buck's fizz; 6 Adage; 7 Seek; 11 Reluctant; 12 Mesmeric; 15 Sidecar; 16 Gnosis; 18 Infer; 20 Amos; 23 Doh.

## P&S may face auction sale

BY RAYMOND SNODDY

PORTSMOUTH & Sunderland Newspapers yesterday said that it has received a number of bid approaches over the weekend after the launch of a £16 a share offer made on Friday by rival publisher, Johnston Press.

P&S denounced a hostile move by Johnston as "opportunistic" and told their shareholders to ignore the tender offer which closes on Saturday.

The newspaper and convenience store group said that it had received at least two other approaches since Friday when Johnston Press bought a 14.99 per cent stake and launched a tender offer for a further 10 per cent. Johnston is also seeking regulatory approval to take a controlling interest in P&S.

In a letter to be sent to shareholders today, Sir Stephen Waley-Cohen, the P&S chairman, argues that Johnston

Press is trying to buy P&S "on the cheap".

The Johnston Press move follows rejection of an unsolicited approach to P&S in November. "We believe that the tender offer significantly under-values P&S's earnings and growth potential which we considered in detail when deciding to reject Johnston's previous approach," Sir Stephen will tell shareholders.

P&S declined to give further details yesterday on the other preliminary approaches but they are believed to include both potential financial bidders as well as a newspaper group.

P&S management recognises that the Johnston approach has put the company in play and it is prepared to recommend an offer that values the company's potential. The Johnston offer would value P&S at £191 million.

## Bumpy ride forecast for retailers

BY CHRISTINE BUCKLEY

GLOOM in the high street is likely to persist for several more months but then retailers can expect fortunes to improve, according to a Verdict survey published today.

But in the long term high street shops will face a harder fight for customers against a proliferation of electronic sellers. The retail consultancy predicts tougher conditions and falling profit margins over the next five years. (It forecasts a big growth in retailing capacity with the equivalent of 25 new big regional shopping centres being built. This, along with increased use of shopping by home computer, will mean that retailing is a buyer's market.)

Verdict forecasts that this year there will be real growth of 2.1 per cent in retail sales — taking the total to £198 billion and on to £208 billion next year.

## Electra and 3i in talks

BY CHRISTINE BUCKLEY

A HUGE shake-up in Britain's venture capital industry will be signalled today when 3i announces that it is in talks to buy Electra Investment Trust for about £1.25 billion.

The pair started talks ten days ago for 3i to buy Electra. The takeover would shake up the private equity market and propel 3i into a more central role with stakes in large businesses. In the past, it has not had a great deal of success in large transactions. It has been suggested that 3i could bid up to 75p a share for Electra — compared with a price of 563p on Friday. Electra's net asset value will today be set at



Stoddart: shares at discount

less than £7 when the company comments on the talks. Shares in Electra, which is chaired by Michael Stoddart, the venture capital guru, have been trading at a discount of

up to 30 per cent to its net asset value. This is largely because its portfolio is concentrated in large investments.

3i specialises in smaller development capital situations, and its shares have tended to trade at or above net asset value.

A sticking point to the deal may be Electra's contract with Electra Fleming, a joint venture with Robert Fleming, the merchant bank. Electra Fleming manages the trust and may want a continued role in the expanded 3i structure.

Both companies are keen to expand their operations in Europe, with 3i already having built beachheads in France and Germany.

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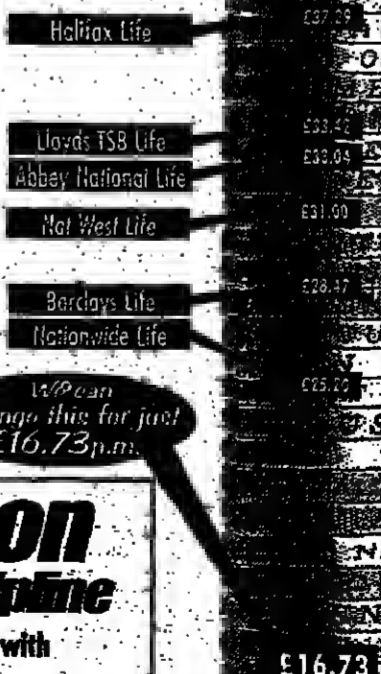
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